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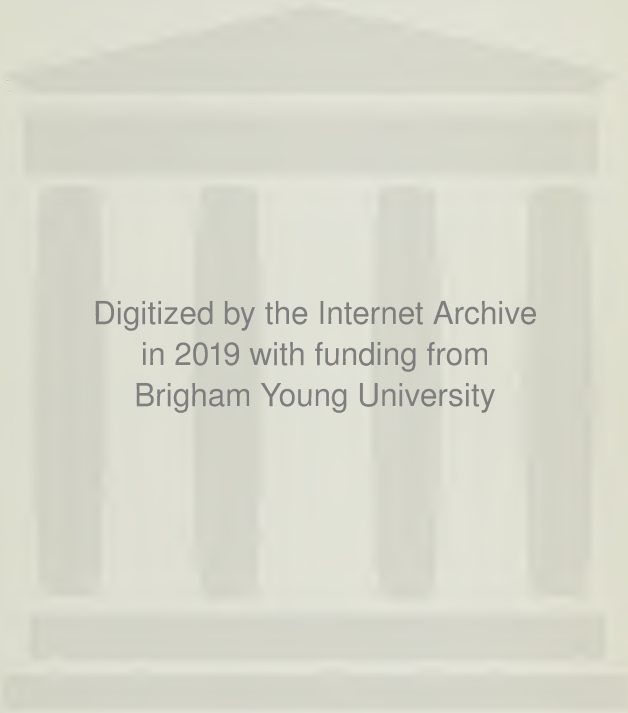
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# HOUSE JOURNAL

OF THE

Twenty-Ninth Session

OF THE

# LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

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PUBLISHED BY AUTHORITY.

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SALT LAKE CITY:  
THE DESERET NEWS COMPANY.

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1890.



# NAMES & AND & RESIDENCES

OF THE MEMBERS AND OFFICERS OF THE

## Legislative Assembly of the Territory of Utah,

WITH THE

STANDING COMMITTEES.

Twenty-Ninth Session, 1890.

### MEMBERS OF THE HOUSE.

#### *First District.*

JAMES T. HAMMOND, Logan, Cache County.

#### *Second District.*

JOSEPH HOWELL, Wellsville, Cache County

#### *Third District.*

WILLIAM LOWE, Willard, Box Elder County.

#### *Fourth District.*

JAMES N. KIMBALL, Ogden, Weber County.

#### *Fifth District.*

JOSIAH M. FERRIN, Eden, Weber County.

#### *Sixth District.*

JOSEPH R. PORTER, Porterville, Morgan County.

*Seventh District.*

E. P. FERRY, Park City, Summit County.

*Eighth District.*

W. H. SMITH, Eureka, Juab County.

*Ninth District.*

FRANK PIERCE, Salt Lake City, Salt Lake County.

*Tenth District.*

A. L. WILLIAMS, Salt Lake City, Salt Lake County.

*Eleventh District.*

JAMES SHARP, Salt Lake City, Salt Lake County.

*Twelfth District.*

C. E. ALLEN, Bingham, Salt Lake County.

*Thirteenth District.*

HEBER BENNION, Taylorsville, Salt Lake County.

*Fourteenth District.*

THOMAS W. RUSSELL, Mill Creek, Salt Lake County.

*Fifteenth District.*

WILLIAM CREER, Spanish Fork, Utah County.

*Sixteenth District.*

SAMUEL R. THURMAN, Provo, Utah County.

*Seventeenth District.*

LYMAN S. WOOD, Springville, Utah County.

*Eighteenth District.*

LYCURGUS JOHNSON, Ashley, Uintah County.

*Nineteenth District.*

JAMES A. MELVILLE, Fillmore, Millard County.



*Twentieth District.*

C. N. LUND, Mount Pleasant, Sanpete County.

*Twenty-first District.*

WILLIAM K. REID, Manti, Sanpete County.

*Twenty-second District.*

WILLIS E. ROBISON, Beaver, Beaver County.

*Twenty-third District.*

WILLIAM P. SARGENT, Panguitch, Garfield County.

*Twenty-fourth District.*

WILLIAM T. STEWART, Kanab, Kane County.

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OFFICERS OF THE HOUSE.

JAMES SHARP, *Speaker.*  
Salt Lake City, Salt Lake County.

ROBERT S. CAMPBELL, *Chief Clerk.*  
Salt Lake City, Salt Lake County.

S. T. WHITAKER, *Minute Clerk.*  
Ogden, Weber County.

JOHN BOYDEN, *Engrossing and Enrolling Clerk.*  
Coalville, Summit County.

HADLEY D. JOHNSON, *Sergeant-at-Arms.*  
Salt Lake City, Salt Lake County.

WILLIAM P. PAYNE, *Watchman.*  
Fillmore, Millard County.

W. C. A. SMOOT, JR., *Messenger.*  
Provo, Utah County.

J. H. MAUGHAN, *Chaplain.*  
Wellsville, Cache County.

## STANDING COMMITTEES OF THE HOUSE.

### ELECTIONS.

Creer, Ferrin, Williams, Howell, Sargent.

### JUDICIARY.

Thurman, Hammond, Kimball, Creer, Reid, Pierce, Stewart.

### CLAIMS AND PUBLIC ACCOUNTS.

Creer, Lowe, Allen, Lund, Howell.

### APPROPRIATIONS.

Howell, Robison, Ferry, Bennion, Stewart, Smith, Thurman.

### WAYS AND MEANS.

Williams, Hammond, Porter, Melville, Johnson.

### COUNTIES.

Lund, Ferrin, Russell, Smith, Wood.

### HIGHWAYS.

Melville, Thurman, Ferry, Johnson, Lowe.

### ENGROSSMENT.

Lowe, Pierce, Sargent.

### EDUCATION.

Allen, Creer, Hammond, Bennion, Stewart.

### MANUFACTURE AND COMMERCE.

Smith, Ferrin, Porter, Robison, Wood.

### MILITIA.

Stewart, Kimball, Reid.

### PENITENTIARY AND REFORM SCHOOL.

Kimball, Johnson, Reid, Russell, Wood.

### FISH AND GAME.

Porter, Williams, Sargent.

MINES AND MINING.

Ferry, Howell, Creer, Smith, Johnson, Lund, Melville.

PRIVATE CORPORATIONS.

Hammond, Thurman, Pierce, Robison, Bennion.

MUNICIPAL CORPORATIONS AND TOWNS.

Thurman, Reid, Ferry, Lowe, Howell.

ASYLUM FOR THE INSANE.

Wood, Williams, Sargent, Lund, Ferrin.

PUBLIC HEALTH.

Russell, Smith, Porter.

RULES.

Reid, Pierce, Lowe.

CONTINGENT EXPENSES OF THE HOUSE.

Ferrin Allen, Lund.

LIVE STOCK.

Johnson, Russell, Robison, Allen, Porter, Williams, Melville.

AGRICULTURE AND IRRIGATION.

Robison, Russell, Kimball Melville, Wood.

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JOINT STANDING COMMITTEES.

ENROLLMENT.

Bennion, Allen, Stewart.

PUBLIC PRINTING.

Howell, Bennion, Kimball.

TERRITORIAL LIBRARY.

Sargent, Creer, Ferry.

MEMORIALS TO CONGRESS.

Pierce, Thurman, Hammond.

## MEMBERS OF THE COUNCIL.

### *First District.*

JOSEPH BARTON, Kaysville, Davis County.

### *Second District.*

CHRISTIAN F. OLSEN, Hyrum, Cache County.

### *Third District.*

CHARLES C. RICHARDS, Ogden, Weber County.

### *Fourth District.*

EDWARD BENNER, Salt Lake, City, Salt Lake County.

### *Fifth District.*

WM. C. HALL, Salt Lake City, Salt Lake County.

### *Sixth District.*

FRANKLIN S. RICHARDS, Salt Lake City, Salt Lake County.

### *Seventh District.*

WM. G. COLLETT, Grantsville, Tooele Gounty.

### *Eighth District.*

JOHN E. BOOTH, Provo, Utah County.

### *Ninth District.*

ABRAM HATCH, Heber City, Wasatch County.

### *Tenth District.*

WM. A. C. BRYAN, Nephi, Juab County.

### *Eleventh District.*

WM. A. SEEGMILLER, Richfield, Sevier County.

### *Twelfth District.*

ROBERT C. LUND, St. George, Washington County.



## OFFICERS OF THE COUNCIL.

F. S. RICHARDS,	<i>President.</i>
Salt Lake City, Salt Lake County.	
FRANK J. CANNON,	<i>Chief Clerk</i>
Ogden City, Weber County.	
COLLINS D. W. FULLMER,	<i>Minute Clerk.</i>
Logan, Cache County.	
VERNEE L. HALLIDAY,	<i>Engrossing and Enrolling Clerk.</i>
Provo City, Utah County.	
ADELBERT CAZIER	<i>Sergeant-at-Arms.</i>
Nephi, Juab County.	
H. C. BARRELL,	<i>Messenger.</i>
Salt Lake City, Salt Lake County.	
HORATIO PICKETT,	<i>Watchman.</i>
St. George, Washington County.	
JAMES B. MORRISON.	<i>Chaplain.</i>
Richfield, Sevier County.	

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## STANDING COMMITTEES OF THE COUNCIL

### ELECTIONS.

Bryan, Barton, Hall, Booth, Lund.

### JUDICIARY.

Richards, Booth, Hall, Barton, Bryan.

### CLAIMS AND PUBLIC ACCOUNTS.

Booth, Seegmiller, Olsen.

APPROPRIATIONS.

Seegmiller, Lund, Benner, Richards.

WAYS AND MEANS.

Lund, Booth, Barton.

COUNTIES.

Hatch, Collett, Seegmiller.

HIGHWAYS.

Hatch, Collett, Olsen.

ENGROSSMENT.

Seegmiller, Olsen, Bryan.

EDUCATION.

Collett, Benner, Seegmiller, Booth, Lund.

AGRICULTURE.

Olsen, Seegmiller, Hatch.

LIVE STOCK.

Lund, Seegmiller, Bryan.

MANUFACTURE AND COMMERCE.

Booth, Lund, Benner.

MILITIA.

Olsen, Hatch, Bryan.

PENITENTIARY AND REFORM SCHOOL.

Barton, Bryan, Hall.

IRRIGATION.

Lund, Richards, Seegmiller, Hatch.

FISH AND GAME.

Olsen, Hatch, Collett.

MINES AND MINING.

Lund, Bryan, Hall, Benner.

PRIVATE CORPORATIONS.

Hall, Richards, Booth, Seegmiller.

MUNICIPAL CORPORATIONS AND TOWNS.

Richards, Barton, Hall, Booth.

INSANE ASYLUM.

Hall, Barton, Lund.

CONTINGENT EXPENSES OF COUNCIL.

Bryan, Benner, Collett.

UNIVERSITY AND AGRICULTURAL COLLEGE.

Benner, Olsen, Collett.

CAPITOL GROUNDS.

Collett, Hall, Richards, Seegmiller.

FAIR AND FAIR GROUNDS.

Seegmiller, Hatch, Richards.

RAILROADS.

Barton, Booth, Lund.

STATISTICS.

Hall, Lund, Barton, Benner.

PUBLIC HEALTH.

Hatch, Hall, Bryan.

RULES.

Booth, Hall, Richards.

## JOINT STANDING COMMITTEES.

### ENROLLMENT.

Barton, Benner, Olsen.

### PUBLIC PRINTING.

Bryan, Benner, Olsen.

### TERRITORIAL LIBRARY.

Benner, Collett, Hatch.

### MEMORIALS TO CONGRESS.

Collett, Richards, Barton.



TWENTY-NINTH SESSION

OF THE

# LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

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## HOUSE JOURNAL.

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FIRST DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Monday, January 13th, 1890.

According to law, the members-elect of the Twenty-ninth Session of the Legislative Assembly of the Territory of Utah, convened in the Representatives' Hall, Salt Lake City, Utah, at 2 o'clock p. m.

The House was called to order by O. F. Whitney, Esq., Chief Clerk of the House of the Twenty-eighth Session, who stated that he was in possession of a list of the members-elect, certified to by Hon. Elijah Sells, Secretary of the Territory.

The clerk read the list of members-elect, which was as follows:

1st District,	James T. Hammond.
2d	“ Joseph Howell.
3d	“ William Lowe.
4th	“ James N. Kimball.
5th	“ Josiah M. Ferrin.
6th	“ Joseph R. Porter.
7th	“ E. P. Ferry.
8th	“ W. H. Smith.
9th	“ Frank Pierce.
10th	“ A. L. Williams.
11th	“ James Sharp.
12th	“ C. E. Allen.
13th	“ Heber Bennion.
14th	“ Thomas W. Russell.
15th	“ William Creer.
16th	“ Samuel R. Thurman.
17th	“ Lyman S. Wood.
18th	“ Lycurgus Johnson.
19th	“ J. A. Melville.
20th	“ C. N. Lund.
21st	“ William K. Reid.
22d	“ Willis E. Robison.
23d	“ William P. Sargent.
24th	“ William T. Stewart.

Territory of Utah,        }  
 Secretary's Office.       } ss.

I hereby certify that the foregoing is a true list of the names of the members-elect of the House of Representatives of the twenty-ninth regular session of the Legislative Assembly of the Territory of Utah.

In witness whereof I have hereunto set my hand and affixed the great seal of the Territory, this 7th day of January, A. D. 1890.

ELIJAH SELLS,  
*Secretary of Utah Territory.*

On motion of Mr. Sharp, the list was accepted as *prima facie* evidence of the right of the members named to their seats upon the floor of the House, and the clerk was authorized to call the roll.

All the members responded to their names excepting Messrs. Porter and Lund.

On motion of Mr. Creer, the Hon. the Secretary of the Territory, was requested to administer the oath to the members-elect

Secretary Sells then administered the following oath:

Territory of Utah,                    }  
County of Salt Lake. }

You and each of you do solemnly swear (or affirm) that you will support the Constitution of the United States, and will faithfully obey the laws thereof, and especially will obey the Act of Congress approved March 22, 1882, entitled: "An Act to amend Section 5352 of the Revised Statutes of the United States in reference to bigamy and for other purposes," and that you will also obey the Act of Congress of March 3, 1887, entitled, "An Act to amend an Act entitled an Act to amend Section 5352 of the Revised Statutes of the United States in reference to bigamy and for other purposes, approved March 22, 1882," in respect of the crimes in said Act defined and forbidden, and that you will not directly or indirectly aid or abet, counsel or advise any other person to commit any of said crimes defined by acts of Congress as polygamy, bigamy, unlawful cohabitation, incest, adultery and fornication, and you further swear (or affirm) that you are not a bigamist or polygamist, and that you have not been convicted of any crime under the Act of Congress entitled "An Act to amend Section 5352 of the Revised Statutes of the United State in reference to bigamy, and for other purposes," approved March 22, 1882, nor under the Act amendatory thereof, of March 3, 1887, and that you do not associate or cohabit polygamously with persons of the other sex; and you further swear that you will faithfully perform the duties of the office upon which you are about to enter, viz: members of the twenty-ninth regular session of the Legislative Assembly of the Territory of Utah.

Mr. Hammond moved that the House proceed to effect a permanent organization.

Carried.

Mr. Thurman placed in nomination the name of James Sharp as Speaker of the House.

Mr. Kimball placed in nomination the name of C. E. Allen as Speaker.

On motion of Mr. Sharp, the chair was authorized to appoint two tellers to count the votes for Speaker.

The chair appointed as tellers Messrs. Thurman and Kimball.

Voting was proceeded with, and the result was the election of Hon. James Sharp, by a vote of 15 to 5.

Mr. Sharp was declared elected Speaker of the House.

The oath was administered to the Speaker by the Hon. Secretary.

Mr. Sharp, on taking the chair, accepted the honor conferred in an appropriate speech.

Mr Hammond nominated Robert S. Campell, of Salt Lake City, as Chief Clerk of the House.

Mr. Pierce nominated Ralph E. Hoag, as Chief Clerk of the House.

Voting was proceeded with, and resulted in the election of Robert S. Campbell, as Chief Clerk by a vote of 15 to 6.

Mr. Allen nominated Joseph M. Cohen, of Summit County, for Engrossing and Enrolling Clerk.

Mr. Creer nominated John Boyden, of Summit County, for Engrossing and Enrolling Clerk.

John Boyden was elected to that office by a vote of 15 to 6.

Mr. Williams nominated J. W. McNutt, of Weber County, as Sergeant-at-Arms.

Mr. Howell nominated Hadley D. Johnson, of Salt Lake County, for Sergeant-at-Arms.

The result of the voting was the election of Mr. Johnson by a vote of 15 to 6.

Mr. Robison placed in nomination for Watchman, William P. Payne, of Millard County.

Mr. Payne was unanimously elected.

Mr. Wood nominated W. C. A. Smoot, Jr., of Utah County, for Messenger.

Mr. Smoot was unanimously elected.

Mr. Stewart nominated J. H. Maughan, of Cache County, for Chaplain.

Mr. Allen placed in nomination for Chaplain, Rev. W. P. N. Daly, of Juab County.

J. H. Maughan was elected Chaplain by a voted of 15 to 6.

The Hon. Secretary administered the oath to members-elect Porter and Lund, and subsequently to the En-

grossing and Enrolling Clerk, Sergeant-at-Arms, Watchman, Messenger and Chaplain.

The Chaplain offered prayer.

Mr. Allen presented the following resolution:

House Resolution No. 1:

*Resolved*, That the House now proceed to assign seats to members by lot, provided that members who have served three or more terms in this House, shall have the privilege of selecting their seats before lots are drawn by other members.

Mr. Creer moved that the resolution be amended so as to read "two or more," etc., in lieu of "three or more," etc.

Amendment lost.

Resolution adopted.

The drawing for seats having been concluded, the following messages from the Council were received and read:

#### MESSAGES FROM THE COUNCIL.

Council Chamber,

January 13th, 1899.

Mr. Speaker:

I am directed to inform your honorable body that the Council has organized with the following officers.

Hon. F. S. Richards, President.

Frank J. Cannon, Chief Clerk.

Verney L. Halliday, Enrolling Clerk.

Adelbert Cazier, Sergeant-at-Arms.

H. C. Barrell, Messenger.

Horatio Pickett, Watchman.

Jas. B. Morrison, Chaplain.

Respectfully,

FRANK J. CANNON,

Chief Clerk.

Council Chamber,

January 13, 1890.

Mr. Speaker:

I am directed to notify your honorable body that the Council has this day adopted the accompanying resolution.

Respectfully,

FRANK J. CANNON,

Chief Clerk.



## Council Concurrent Resolution No. 1:

*Resolved*, The House concurring, that each House shall elect a Minute Clerk to serve during the session at a compensation of \$5.00 per day, to be paid out of the Territorial treasury.

On motion of Mr. Thurman, the following was unanimously adopted in lieu of C. C. R. No. 1.

## House Joint Resolution No. 1:

*Resolved*, By the Governor and Legislative Assembly of the Territory of Utah, that each House is hereby authorized to elect a minute clerk to serve during the present session of the Legislature, at a compensation of \$5.00 per day, and that the Governor be authorized to appoint a messenger for the executive department to serve during the session at a compensation of \$4.00 per day. Said sums to be paid out of the Territorial Treasury.

## MESSAGE FROM THE COUNCIL.

Council Chamber,  
January 13th, 1890.

*Mr. Speaker:*

I am directed to notify your honorable body that the Council has this day appointed a committee consisting of Councilors Hatch and Benner to act in conjunction with a like committee from the House to wait upon His Excellency the Governor, and inform him that the Council and House are ready to receive any communication which he may wish to make.

Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

On motion of Mr. Kimball, the Speaker was authorized to appoint a committee of two on behalf of the House, to act in conjunction with the committee of the Council, to wait upon His Excellency, the Governor, and notify him that the Assembly had effected a permanent organization, and were now ready to receive any communication he might desire to make.

The Speaker named as said committee Messrs. Kimball and Thurman.

The following resolution was presented by Mr. Allen:

House Concurrent Resolution No. 1:

*Resolved*, The Council concurring, that one hundred copies of the daily minutes of each House, and two hundred copies of the names and residences of officers and members, with the standing committees, be printed for the use of the members of the Assembly.

Adopted.

Mr. Hammond presented the following resolution:

H. R. No. 2:

*Resolved*, That until otherwise ordered, the standing rules of the House of the Twenty-eight Session of the Legislative Assembly be adopted as the rules of this House, and that three hundred copies of the same be printed for the use of the members.

Adopted.

MESSAGE FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 13, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day concurred in the accompanying resolution, H. J. R. No. 1.

Respectfully,

FRANK J. CANNON.  
Chief Clerk.

H. J. R. No. 1 was referred for enrollment.

Mr. Howell moved for a recess, subject to the call of the chair. Carried.

3:15 p. m.

The Speaker called the House to order.

Mr. Kimball, in behalf of the committee appointed to wait upon His Excellency, the Governor, reported verbally to the effect that they had performed the duty, and the Governor desired to meet with the Assembly in Joint Session at 4 p. m. to-day.

The report was received.

Mr. Williams presented the following resolution:

H. R. No. 3:

*Resolved*, That the Council be invited to meet with the House in Joint Session at 4 o'clock p. m. to-day, to receive the Governor's communication.

The resolution was adopted.

On motion of Mr. Allen, a recess was taken subject to the call of the chair.

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3:40 p. m.

The House was called to order by the Speaker.

MESSAGE FROM THE COUNCIL.

Council Chamber,  
January 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council accepts your invitation conveyed in H. R. No. 3; and will meet with you at 4 o'clock to-day.

Respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

On motion of Mr. Smith the House took a recess subject to the call of the chair.



## JOINT SESSION.

REPRESENTATIVES' HALL,

January 13, 1890.

4 p. m.

Pursuant to arrangement, the Legislative Assembly met in joint session.

The President of the Council in the chair, called the Assembly to order.

The Chief Clerk of the Council called the roll of the Council.

All present.

The Chief Clerk of the House called the roll of the House.

All present.

Prayer by the Chaplain of the Council.

President Richards requested the joint committee of the two houses to wait upon His Excellency the Governor, and state to him that the Assembly was in readiness to receive him.

Governor Arthur L. Thomas was then announced. The Assembly received him standing. Being introduced by the President of the Council, His Excellency delivered the following message:

EXECUTIVE OFFICE,

SALT LAKE CITY, Jan. 13th, 1890.

*Gentlemen of the Legislative Assembly:*

On behalf of the people, I welcome you to the performance of the important duties imposed upon you by law, and, in referring to matters which I shall present to you, shall be as brief as possible.

## REPORTS OF TERRITORIAL OFFICERS.

I transmit herewith the report of the Territorial Treasurer (marked Exhibit "A") and the report of the Territorial Auditor (marked Exhibit "B") for your information.

## PUBLIC INSTITUTIONS.

I have not been advised of the needs of the Deseret Uni-

versity, and can therefore do no more than bespeak for it your favorable consideration.

The Board of Directors of the Insane Asylum, the Trustees of the Reform School and of the Agricultural College, and the Board of Commissioners of the Capitol Grounds, will submit detailed reports to the Legislative Assembly from which you will learn what has been done by them respectively during the past two years. I shall only refer to them in a general way.

The condition of the Insane Asylum is deplorable. The inmates, afflicted with the saddest type of human suffering, are crowded together in the rooms, halls, anterooms and by-ways of the institution. The officers and attendants are compelled to perform their duties, in rooms illy provided for the purpose. I urge immediate action looking to the enlargement of the present building. The Asylum should be made the foremost benevolent institution of the Territory.

The Agricultural College is an institution that ought to prove valuable to the agricultural class. This important class of our population has derived but little benefit from public appropriations, and if the college can be made of use and benefit to them, it should be done. You are the immediate representatives of the people, and will have to decide how far you can go in supporting this important institution.

The Reform School has been formally opened and is now in active operation. The necessary appropriations should be made to enable it to be successfully conducted during the next two years.

The board of Capitol Commissioners have improved the grounds donated by the City of Salt Lake to the Territory, upon which to erect the proposed Capitol building. I believe it would be wise and prudent to appropriate a sufficient sum to erect a wing that will supply the present needs of the Territory, and shall be glad to have the opportunity to co-operate with you in this matter.

The action of the last Legislative Assembly, with reference to the selection of the directors of the Deseret Agricultural & Manufacturing Society, has virtually made the Association a Territorial institution. During the years 1888 and 1889 successful fairs were held, and the exhibits made were in the highest degree creditable. Considering the limited means at the disposal of the directors, these fairs have been remarkably successful.

These annual fairs do much to bring the people together and encourage a friendly rivalry among the industrial classes. The experience of the past two years has shown that the present building is entirely too small for the purpose. The building should be completed according to the original plans adopted by the board of directors, and should be supplemented by other buildings which are much needed by exhibitors.

I submit for your consideration the idea of establishing in the Exposition Building a Territorial museum, where the many objects of interest which annually come to our notice in the Territory may be preserved, and where may be gathered a museum that will grow in interest with each succeeding year.

The Territorial Library as at present conducted practically nullifies the purpose of the law which created it. It should be moved back to a central part of the city, and sufficient appropriation be made for its maintenance and support, including the publishing of annual reports for purposes of exchange with other States and Territories.

#### THE CRIMINAL CODE.

I append to this message a letter from the United States District Attorney (marked Exhibit "C") recommending certain amendments to the criminal code, which I submit for your consideration, with a recommendation that they be adopted.

#### HOUSE OF CORRECTION.

The law establishing the Reform School provides that when a boy or girl under the age of eighteen shall be convicted of any crime, except murder, they may be sent to the Reform School. There is no provision made in the law for boys and girls of similar age who, though not convicted of any crime, are incorrigible and refuse to be governed by parental restraint. Numerous instances have transpired showing the necessity of providing a refuge for such children before they are led into the commission of crime. I believe it to be just as important, indeed of greater importance, to society, to reform wayward youths if it can be done before they have incurred the disgrace of a conviction for crime. I therefore recommend the establishment of a House of Correction for boys and girls under the age of eighteen, whose conduct may be such as require them to be placed there.

## THE BANKING LAW.

The present banking law, Section 22, imposes certain restrictions with respect to the loaning of money to officers of a bank, and provides that the office of any officer violating the law shall immediately become vacant.

The amount which any one officer may borrow is limited to \$10,000. In the case of the incorporation of a bank with a capital of twenty-five thousand dollars, three officers may exhaust the entire capital. I recommend that the amount which may be loaned to the officers of a bank be limited to one-tenth of the capital subscribed, or to such percentage of the capital as you may think proper.

Section 25 directs the Secretary of the Territory to make a thorough examination into the affairs of banking associations. There is an implied responsibility resting on the examiner to carry out the spirit of the law, without giving him the necessary power to do so. In case he shall find a bank becoming insolvent, he has no power to compel the officers or stockholders to take such steps as will put it in a solvent condition, or to close the bank if they fail to respond.

I recommend that the duties and powers of the examiner be accurately defined, and if he is to be the public agent in such matters that his authority to examine everything connected with the business of the bank be made clear and explicit. The law should require every bank to keep a certain percentage of the deposits available. Under the present law there is no obligation to hold any part of the deposits in reserve.

## PAYMENT OF INTEREST BY PUBLIC INSTITUTIONS.

During the past two years nearly seven thousand dollars have been paid by public institutions in this Territory as interest on money borrowed, or warrants discounted. This was necessary to be done in some cases to enable the institutions to carry on the purposes for which they were created. In every case the appropriations made for the use and maintenance of these institutions was ample for the purpose, but it was found when the warrants were presented to the Territorial Treasurer he had no money to pay them. I respectfully submit that a fiscal policy which makes it necessary for public institutions to discount the Territorial warrants is defective, and recommend an immediate change. I can find no author-



ity in the statutes for the payment of interest by these institutions from the public funds.

#### RATE OF INTEREST.

Under the present law the legal rate of interest is 10 per cent. The City of Salt Lake and the Territory of Utah have been able to place their bonds at the rate of 5 per cent. Under the circumstances it seems to me that the rate now fixed by law should be reduced to 6 per cent, and I so recommend.

#### ASSESSMENT OF PROPERTY.

The revenue law provides that property other than money shall be assessed at a fair cash valuation. The fact is, this requirement of the law has been practically ignored. I am of the opinion the fault is in the administration of the law by the local officers.

The assessors have made the assessment upon an arbitrary basis fixed by themselves, or which they think will be about the standard fixed in other counties, and thus the taxes are not laid upon the fair cash value of the property taxed, nor is the assessment thereupon uniform and equal. The law should be administered according to its terms, and the power to determine the amount of revenue necessary should be left to the Legislative Assembly where it belongs.

Whether justly or not, I am not prepared to say, but there exists among many the belief that the present law, or the way in which it is enforced, does not permit of a close and correct assessment of taxable property; that in the larger counties of the Territory it is practically impossible for one man to make a correct return of all the taxable property. The assessor should be directed to appoint a deputy in each precinct - persons of discretion, intelligence and integrity, acquainted with the residence and familiar with the property of their respective precincts. To the undervaluation of property and to the amounts that never reach the tax books at all is largely due the fact of the treasurer not being able to pay warrants when they are presented to him. An assessment of all classes of properties at a fair valuation is the most practicable way of securing equalization.

There is also a belief that corporate and accumulated wealth is not fairly assessed and, therefore, does not meet its just share of the public burdens.

I suggest such amendments to the law as will secure a

perfectly just and equitable assessment, and that in cities the assessment be made by blocks, and in townships by sections.

#### BOARD OF EQUALIZATION.

At the last session of the Legislative Assembly, a Board of Equalization was created for the years 1888 and 1889. It was charged with the duty of equalizing the different standards of value, which had been adopted by the assessors in the counties. In my judgment a law should be passed providing for a Board of Equalization to consist of five, seven or more persons as the Legislature may deem proper, who shall serve for a term of two years, and until their successors shall be appointed and qualified. I believe the attention of the people has been directed to the necessity of action in this matter. They are anxious that the burdens of Government shall be fairly distributed.

#### STATISTICS.

I recommend that a law be passed creating a bureau of statistics. At the present time federal, territorial, county and municipal officers, and men of every class and calling, are constantly called upon to furnish statistical information with respect to the Territory and its people, which ought to be supplied by a bureau specially created for the purpose. Nearly all the statistics furnished now are gathered at private expense. Our Territory is rapidly growing in wealth and population, and we ought to feel a just pride in securing and preserving, in enduring form, the information which will enable the world to judge us correctly, and which will prove valuable in the future. This bureau should also be charged with the duty of gauging our streams, say semi-monthly, in order to determine the proper distribution of water; with the measurement of snow in the mountains in winter, to warn the farmer of probable scarcity of floods in the spring-time, and the approximate amount, and with making tests of evaporation, rainfall, and temperature in all important localities. All of this information will be of great interest to the agricultural class, and hence the people of the Territory.

#### GEOLOGICAL SURVEY.

I suggest for your consideration the importance of a geological survey of the Territory. There is a widespread opinion that a survey which would accurately show the extent and character of our varied resources would prove of great

benefit, and would aid materially in promoting the prosperity of the Territory.

We need information respecting our mineral lands, industrial resources; our soils should be analyzed, and we should experiment with our structural materials; in short, we ought to get better acquainted with the Territory in which we live.

#### FREE PUBLIC SCHOOLS.

I can present no subject for your consideration of greater importance than the condition of the public schools throughout the Territory. It is the bounden duty of the Territory to give to every child the opportunity of receiving a free public education.

This is denied by the existing school laws. I earnestly recommend that you enact such legislation as will lay the foundation of a system of education that will progress until the highest standard is reached. You will serve your Territory well by so doing.

#### HIGHWAYS.

The highway law authorizes the county courts to maintain and work such public highways as are necessary for public convenience. As a rule the highways throughout the Territory are not in good condition. I believe that smooth, easy traveled roads are of substantial benefit, and that money expended in making them so is wisely spent. If the present laws are not adequate, or if the funds which the courts are authorized to use are not sufficient for the purpose, I recommend such legislation as will meet the case, and suggest the appointment of precinct roadmasters.

#### IRRIGATION.

The subject of irrigation and the water supply is a matter of great importance to the welfare of the Territory. I urge the enactment of a broad and comprehensive law with relation to the use of water in irrigation, and the storage and preservation of the water supply. This question is a vital one, and is worthy of enlightened consideration.

#### PROBATE JUDGES.

The Probate Judges of the Territory are required to perform duties imposed upon them by law, for which the statutes

provides no compensation. In some of the counties the performance of these duties is a matter of daily occurrence. I recommend such a change in the law as will secure them adequate compensation.

#### WORLD'S FAIR.

I recommend that provision be made for collecting a complete exhibit for the World's Fair to be held in 1892, of all the natural and artificial products of the Territory, such as minerals, flora, fauna, agricultural and horticultural products and manufactures of every kind.

#### FISH AND GAME LAW.

I am informed by reliable authority that large quantities of native trout, destroyed by the use of dynamite, giant powder, quick lime, etc., are exported to eastern markets. Such agencies destroy fish of every age and size within their reach, and will ultimately destroy our trout supply. I recommend that county courts be authorized to offer suitable rewards for information that will lead to the arrest and conviction of persons guilty of violating the fish and game laws. Colorado and other States prohibit the exportation of fish caught in their public waters. I recommend such a law for Utah. I also recommend a law confiscating the seines, boats, etc., belonging to or in the possession of persons unlawfully taking fish; that persons and companies owning ditches, mill races, canals, etc., should be made to put and maintain suitable and serviceable screens to prevent the fish from descending or ascending such watercourses. They should be also made to build the necessary fish ways by law defined. This I believe has been totally neglected. Almost every State and Territory in the Union has a public hatchway, breeding, ponds and fish commissioner. I recommend that you enact laws providing for them.

Some provision should also be made to protect the young fry placed in our waters by the general government, and feathered game which may be imported into the Territory.

#### PARDON BOARD-ADVISORY.

There are nearly one hundred and fifty applications for pardon pending before the Governor at the present time. These applications are supported by statements made by parties interested in favorable action, there being no other information furnished to him. The Governor must in his



action be governed by the ex-parte statements made. I believe it would be better for the public interests if the Governor should be authorized by law to appoint a board of three persons, who should be authorized to meet once a month, or as often as the legislature may determine, to examine into the merits of all applications for pardon, and to report their conclusions to the Governor for his information.

#### FEES OF JURORS AND WITNESSES.

The appropriation for the payment of jurors and witnesses serving in Territorial cases was exhausted nearly four months ago. It is not just to persons called to serve in this public capacity to be deprived of the limited compensation allowed them by law. I recommend a sufficient appropriation be made to meet such demands upon the Territory.

#### APPOINTMENT OF OFFICERS.

The right of the Governor to appoint officers, other than township, district and county officers, has been in dispute since December 8, 1862, when the Governor in his message to the Legislative Assembly, used the following language: "I cannot arrive at any other conclusion in the examination of that act (organic act) than that the officers not included in the first class (township, district and county officers) must be appointed by the Governor by and with the advice and consent of the Legislative Council, and cannot be elected by joint ballot of the Legislative Assembly." The decision of the Supreme Court has finally settled this vexed question.

#### ARBOR DAY AND FOREST FIRES.

In most of the States and Territories a day has been designated by law as "Arbor Day," at which time trees are planted by the people generally. In this arid region the value of trees cannot be over-estimated, and their planting should be encouraged. I think the people would welcome an Arbor Day. In this connection your attention is called to the forest fires, which ravage our mountains in the summer season. If some provision could be made for extinguishing these fires, as soon as they are discovered, if possible, it would save much valuable timber, and help to preserve the water supply.

#### MEMORIALS TO CONGRESS.

I recommend that you memorialize Congress upon the following subjects:

First—The proposed removal of the Durango Utes to Southeastern Utah without regard to the rights of settlers;

Second—The erection of a federal building at Salt Lake City, Utah; and

Third—The establishment of a branch mint in Utah. The question of building a mint at some point in the west is now being agitated. Utah is the centre of a great mineral region, the greatest in the country, and an effort to secure the mint for Utah may be successful.

#### HASTY LEGISLATION.

That there may be no misunderstanding, I now respectfully state that any important acts which may be sent to me within three days before the close of the session will not be considered unless my table is clear of other matters. I expect to examine every act personally, and shall require time to do so.

#### THE SITUATION.

During the past two years the Territory has been wonderfully prosperous. With the exception of two or three periods of temporary depression, the tide of prosperity which commenced to rise in 1882 has continued to swell, and we are now riding on the crest with the high water mark still beyond.

The influence of this prosperity has not yet reached into every portion of the Territory, and its inspiring influence has not been felt by all the people. If Utah shall be fortunate enough to secure in full measure the benefits which should accompany the prosperity and which flow from the development of industrial pursuits, it will present to the world the picture of a prosperous and busy people, and consequently a happy and contented people. In this connection the shadow of unhappy differences which have existed between the government and the people of Utah looms up before us. The absence of the degree of political harmony which exists between the people of this Territory and the people of the United States has led Congress to enact, from time to time, laws withdrawing from the people of the Territory the full measure of self-government usually accorded to the people of a Territory. These laws are supreme within their scope and demand the support, respect and obedience of every citizen. It cannot be denied that exceptional conditions in this Territory demanded these laws, and we may expect that their permanency will depend largely (perhaps wholly) upon the permanency of

the conditions which called them into existence. Whatever doubts may have existed as to the supremacy or obligation of these laws, they have been removed by decisions of the higher court of the country, and no citizen can now be misled as to his duty or obligations. There is no doubt that the Territory has been greatly retarded in development by its unhappy relation to the general government and to the people of the country.

It is now attracting wide attention on account of its superior climate and great resources, and we shall render it a valuable service if the legislation in which we shall concur shall tend to put and maintain the Territory and its people in harmony with national laws and aims, and in accord with the spirit and progress of the age. If we can succeed in doing this we shall best promote the interests of the whole people and hold out additional inducements for an increase of our population and wealth to those seeking new homes, and the benefit of a superior climate.

There are many other subjects which will have to be considered by you, such as amendments to the Probate Act, the law for the impounding of animals, etc., which it is hardly necessary to mention here.

I am, gentlemen,

Very respectfully,

ARTHUR L. THOMAS,

Governor.

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## AUDITOR'S REPORT.

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*His Excellency, Governor A. L. Thomas, Salt Lake City, Utah:*

DEAR SIR—I have the honor to hand you herewith my biennial report as Auditor of Public Accounts for the Territory of Utah for the two years ending December 31, 1889.

### FIRST.

Showing the total valuation of property assessed in the several counties of the Territory for the year 1888, and the revenue arising thereon at the rate of three-fifths of one per cent.

<i>Counties.</i>	<i>Total value of property assessed.</i>	<i>Total Territorial and school tax</i>
Beaver . . . . .	\$ 628,853.00	\$ 3,773.12
Box Elder . . . . .	2,483,397.00	14,900.38
Cache . . . . .	2,215,183.00	13,291.10
Davis . . . . .	1,215,183.00	8,718.23
Emery . . . . .	1,026,967.00	6,161.80
Garfield . . . . .	281,235.00	1,687.41
Iron . . . . .	416,532.00	2,499.19
Juab . . . . .	1,223,763.00	7,342.58
Kane . . . . .	272,715.00	1,636.29
Millard . . . . .	989,460.00	5,936.76
Morgan . . . . .	506,770.00	3,040.62
Piute . . . . .	267,502.00	1,605.01
Rich . . . . .	437,233.00	2,623.40
Salt Lake . . . . .	18,556,970.00	111,341.82
San Juan . . . . .	341,203.00	2,047.22
Sanpete . . . . .	1,659,759.00	9,958.55
Sevier . . . . .	658,828.00	3,952.97
Summit . . . . .	1,950,042.00	11,700.25
Tooele . . . . .	1,338,610.00	8,031.66
Uintah . . . . .	279,185.00	1,675.11
Utah . . . . .	4,295,532.00	25,773.19
Wasatch . . . . .	564,868.00	3,389.21
Washington . . . . .	639,357.00	3,836.14
Weber . . . . .	4,619,100.00	27,714.60
Totals . . . . .	\$47,106,102.00	\$282,636.61

## SECOND.

Showing the total valuation of property assessed in the several counties of the Territory for the year 1889, and the revenue arising thereon at the rate of three-fifths of one per cent.:

<i>Counties.</i>	<i>Total value of property assessed.</i>	<i>Total Territorial and school tax.</i>
Beaver . . . . .	\$ 637,017.00	\$ 3,822.10
Box Elder . . . . .	2,457,015.00	14,742.09
Cache . . . . .	2,349,670.00	14,098.02
Davis . . . . .	1,552,178.00	9,313.07
Emery . . . . .	1,432,780.00	8,596.68
Garfield . . . . .	283,712.00	1,702.27
Iron . . . . .	417,411.00	2,504.47
Juab . . . . .	1,530,510.00	9,183.06
Kane . . . . .	402,145.00	2,412.87
Millard . . . . .	865,547.00	5,205.28
Morgan . . . . .	494,930.00	2,969.58
Piute . . . . .	325,558.00	1,953.35
Rich . . . . .	430,677.00	2,584.06
Salt Lake . . . . .	19,030,050.00	119,580.30
San Juan . . . . .	214,068.00	1,584.06
Sanpete . . . . .	1,957,912.00	11,747.47
Sevier . . . . .	809,475.00	4,856.85
Summit . . . . .	2,157,922.00	12,947.53
Tooele . . . . .	1,220,072.00	7,320.43
Uintah . . . . .	332,317.00	1,993.90

Utah . . . . .	\$ 4,287,433.00	\$ 25,724.60
Wasatch . . . . .	666,066.00	3,996.40
Washington . . . . .	675,810.00	4,054.86
Weber . . . . .	5,353,415.00	32,120.49
Total . . . . .	\$50,835,690.00	\$305,016.14

*THIRD.*

Showing amount of Auditor's warrants drawn on the Territorial Treasurer during the years 1888-89, and the purpose for which said warrants were issued:

*Auditor of Public Accounts.*

To N. W. Clayton, Auditor—

Salary for years 1886-87 . . . . .	\$ 3,000.00	
Salary for years 1888-89 . . . . .	3,600.00	
Incidentals for the years 1886-87 . . . . .	1,000.00	
Incidentals for years 1888-89 . . . . .	1,400.00	
Surplus incidentals . . . . .	97.10	
Clerk hire for years 1882-83-84-85 . . . . .	3,000.00	
Office rent for years 1886-87 . . . . .	1,200.00	
Office rent for years 1888-89 . . . . .	1,200.00	\$14,497.10

*Commissioner of Schools.*

To L. John Nuttall, Commissioner:—

Salary for years 1886-87 . . . . .	\$1,500.00	
Stationary, etc . . . . .	125.00	

To P. L. Williams, Commissioner:—

Salary for year 1887 . . . . .	750.00	
Salary for year 1888 . . . . .	1,250.00	
Salary for part of year 1889 . . . . .	312.50	
Stationary, etc . . . . .	241.05	

To J. S. Boreman, Commissioner:—

Salary for part of year 1889 . . . . .	937.50	5,116.05
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*Commissioners to Locate University Lands.*

To Waddell, Mitchell and Stayner, Commissioners:—

Services for years 1886-87 . . . . .	\$ 300.00	300.00
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*Librarian.*

To N. W. Clayton, Librarian:—

Salary for years 1886-87 . . . . .	\$ 500.00	
Salary for years 1888-89 . . . . .	500.00	1000.00

*Treasurer.*

To James Jack, Treasurer:—

Salary for years 1886-87 . . . . .	\$1,500.00	
Salary for years 1888-89 . . . . .	2,500.00	
Incidentals for years 1888-89 . . . . .	500.00	4,500.00

*Agricultural College.*

To C. W. West and A. L. Thomas, Presidents:—

Under Section 1853 of the Compiled Laws of Utah.

1888 . . . . .	\$20,000.00	20,000.00
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*Bounty on Wild Animals.*

Paid Under Section 2118, Compiled Laws of Utah

1888 . . . . . \$1,768.35 1,768.35

*Capitol Grounds.*

To C. W. West and A. L. Thomas, Chairmen:—

Under Section 1890, Compiled Laws of Utah 1888...\$24,000.00 24,000.00

*Clerks of District Courts.*

## FIRST DISTRICT.

To H. H. Henderson, Clerk:—

Salary for years 1888-89 . . . . . \$ 1,600.00

## SECOND DISTRICT.

To J. R. Wilkins, Clerk:—

Salary for year 1888 . . . . . 600.00

Salary for part of 1889 . . . . . 300.00

To C. E. Norris, Clerk:—

Salary for part of 1889 . . . . . 300.00

## THIRD DISTRICT.

To H. G. McMillan, Clerk:—

Salary for part of year 1888 . . . . . \$ 583.35

To William G. Clark, Clerk:—

Salary for part of year 1889 . . . . . 280.00 3,663.35

*Compilation of Laws.*

To S. R. Thurman, Chairman:—

Under Section 1, Ch. 58, Session Laws of 1888 . . . \$12,000.00 12,000.00

*Court Commissioners.*

To George D. Pyper, Commissioner Third District Court . . . . .

\$20,000.00

To J. W. Turner, Commissioner First District Court (Provo) . . . . . 20,000.00

To Joseph Stanford, Commissioner First District Court, (Ogden) . . . . . 9,000.00

To Benjamin Bennett, Commissioner Second District Court, (Beaver) . . . . . 11,000.00 60,000.00

*Deaf Mutes.*

To O. F. Whitney, Chancellor:—

Appropriation for educating deaf mutes . . . . . \$ 6,000.00

Appropriation for building . . . . . 20,000.00

Appropriation for support of mutes . . . . . 10,000.00 36,000.00

*Deseret Agricultural and Manufacturing Society.*

To John R. Winder, President:—

Under Chapter 56, Session Laws 1888 . . . . . \$20,000.00 20,000.00

*District Court Clerks.*

To Benjamin Bachman, Clerk, appropriation for services, 1884-85 . . . . . \$ 758.25

To J. R. Wilkins, Clerk . . . . . 1,290.02

To J. R. Wilkins, Clerk . . . . .	\$ 5 00	
To John M. Zane, Clerk . . . . .	1,141.80	
To A. C. Emerson Clerk . . . . .	549.45	
To Benjamin Bachman, Clerk . . . . .	917.45	
To T. A. Perkins, Clerk . . . . .	35 00	
To H. H. Henderson, Clerk . . . . .	120.00	
To H. H. Henderson, Clerk . . . . .	1,117.20	
To J. R. Wilkins, Clerk . . . . .	1,161.57	
To T. A. Perkins, Clerk . . . . .	593.75	
To John M. Zane, Clerk . . . . .	1,056.35	
To H. G. McMillan, Clerk . . . . .	357.15	9,102.99

*Deficiency Court Expenses.*

Paid jurors and witnesses for services in the District Courts . . . . .	\$86,150.41	\$86,150.41
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*District Court Reporters.*

Services for the years 1888-89 . . . . .	\$ 3,863.00	
Under Section 139, Ch. 2, Session Laws of 1884 . . . . .	1,018.70	\$4,881.70

*Executive Office.*

To Caleb W. West, Governor, appropriation for Messenger, etc . . . . .	\$ 3,084.35	
To Eli H. Murray, Governor, appropriation for Messenger, etc . . . . .	390.65	
To Caleb W. West, Governor, appropriation for Private Secretary, etc., for 1888-89 . . . . .	1,126.00	\$4,500.00

*Justices of District Courts.*

To J. W. Judd, Judge of First District Court (Provo) . . . . .	\$1,000.00	
To J. S. Boreman, Judge of Second District Court . . . . .	611.00	
To T. J. Anderson, Judge Second District Court . . . . .	389.00	
To E. Sandford, Judge of Third District Court . . . . .	500.00	
To H. P. Henderson, Judge First District Court (Ogden) . . . . .	1,000.00	\$3,500.00

*Legal Expenses.*

To J. G. Sutherland, Attorney—		
Appropriation for counsel, 1886-87 . . . . .	\$1,000.00	
Appropriation for counsel, 1888-89 . . . . .	1,000.00	\$2,000.00

*Legislative Expenses.*

To Daniel Harrington, Minute Clerk, House, 27th Session . . . . .	\$ 300.00	
To D. Leatham, Usher, House, 27th Session . . . . .	240 00	
To Contingent Expenses, House, 27th Session . . . . .	1,228.50	
To J. H. Parry & Co., printing, 26th Session . . . . .	86.60	
To W. A. C. Bryan, engrossing, 26th Session . . . . .	18 00	
To Star Printing Company, printing, 26th Session . . . . .	82 50	
To V. L. Halliday, Minute Clerk, Council, 27th Session . . . . .	300.00	
To Alfred Ridges, Usher, Council, 27th Session . . . . .	240.00	
To Contingent Expenses, Council, 27th Session . . . . .	866.50	
To Deseret News Company, printing, 27th Session . . . . .	1,515.96	
To Contingent Expenses, House, 28th Session . . . . .	811.40	

To Contingent Expenses, Council, 28th Session . . .	\$ 440.00	
To O. F. Whitney, Minute Clerk, House, 28th Session	160.00	
To E. H. Anderson, Minute Clerk, House, 28th Session	140.00	
To George E. Blair, Minute Clerk, Council, 28th Session	300.00	
To A. Wilcken, Chaplain, Council, 28th Session . . .	150.00	\$6,879.46

*Penitentiary.*

To F. H. Dyer and E. H. Parsons, Marshals, under Section 2, Chapter 7, Session Laws of 1886 . . . . .	\$1,305.00	\$1,305.00
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*Public Printer.*

To George C. Lambert, Printer, for printing, 28th Session . . . . .	\$1,916.17	\$1,916.17
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*Relief Account.*

To William Ashton, Collector . . . . .	\$ 60.87	
To A. G. Johnson, Collector . . . . .	95.49	
To J. G. Smith, Collector . . . . .	22.50	
To A. E. Merriam, Collector . . . . .	224.30	
To Kane County . . . . .	783.81	
To O. G. Snow, Collector . . . . .	249.58	
To John Snowball, Collector . . . . .	50.65	
To John L. Brasher, Collector . . . . .	79.21	
To John Snowball, Collector . . . . .	44.10	
To R. W. Heyborne, Collector . . . . .	34.00	
To Hanson Bayles, Collector . . . . .	59.29	
To A. W. Ivins, Collector . . . . .	39.58	
To A. G. Johnson, Collector . . . . .	74.74	\$1,818.12

*Roads and Bridges.*

To Tooele County . . . . .	\$1,500.00	
To Emery County . . . . .	3,000.00	
To Millard County . . . . .	1,500.00	
To Sevier County . . . . .	2,500.00	
To Iron County . . . . .	1,500.00	
To Beaver County . . . . .	2,000.00	
To Juab County . . . . .	1,000.00	
To San Juan County . . . . .	3,500.00	
To Garfield County . . . . .	1,500.00	
To Kane County . . . . .	2,500.00	
To Morgan County . . . . .	1,000.00	
To Summit County . . . . .	1,250.00	
To Wasatch County . . . . .	1,250.00	
To Davis County . . . . .	2,000.00	
To Box Elder County . . . . .	1,500.00	
To Rich County . . . . .	1,000.00	
To Piute County . . . . .	1,500.00	
To Salt Lake County . . . . .	1,000.00	
To Uintah County . . . . .	1,000.00	
To Washington County . . . . .	2,200.00	
To Weber County . . . . .	2,000.00	
To Cache County . . . . .	3,000.00	
To Sanpete County . . . . .	1,000.00	
To Utah County . . . . .	1,000.00	41,200.00



*Sundry Accounts.*

To E. T. Sprague . . . . .	\$ 240.00	
To John W. Turner . . . . .	718.25	
To L. W. Roundy . . . . .	8.50	
To William Fotheringham . . . . .	150.00	
To Messrs. Gibbs and Irvine . . . . .	35.00	
To L. H. Redd, Jr. . . . .	10.75	
To Deseret News Company . . . . .	53.00	
To W. N. Dusenberry . . . . .	72.00	
To S. N. Slaughter . . . . .	28.20	
To Utah County . . . . .	1,000.00	
To James Jack and N. W. Clayton . . . . .	115.50	
To Zera Snow . . . . .	150.00	
To George D. Barnard . . . . .	51.00	
To Benjamin Bachman . . . . .	26.00	
To Kane County . . . . .	1,000.00	
To Beaver County . . . . .	81.45	
To F. H. Dyer . . . . .	250.00	
To Jesse Baldwin, Sheriff . . . . .	414.00	
To A. Milton Musser . . . . .	500.00	
To G. R. Belnap . . . . .	312.00	
To John W. Turner . . . . .	138.00	
To Tribune Publishing Company . . . . .	58.00	
To E. T. Sprague . . . . .	140.00	
To H. Dinwoodey . . . . .	1,985.50	
To N. W. Clayton . . . . .	188.40	5,938.55

*Territorial Board of Equalization.*

To Elias A. Smith, Chairman, appropriation as per Section 2064, Compiled Laws of 1888 . . . . .	\$4,500.00	4,500.00
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*Territorial Bonds.*

Appropriation as per Section 6, Chapter 59, Session Laws of 1888 . . . . .	\$1,820.80	\$1,820.80
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*Interest and Discount.*

To James Jack, Treasurer, interest on Territorial bonds . . . . .	\$11,250.00	\$11,250.00
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*Territorial Insane Asylum.*

To W. N. Dusenberry, Treasurer— Appropriation for liabilities to December 31, 1887 . . . . .	\$26,030.61	
Appropriation for liabilities to March 30, 1888 . . . . .	3,324.64	
Appropriation for two and one-half months' interest to March 15, 1888 . . . . .	368.33	
Appropriation for expenses, 1888-89 . . . . .	51,676.30	
Appropriation for purchase of lands . . . . .	15,000.00	\$96,399.88

*Territorial Reform School.*

To C. W. West and A. L. Thomas, Chairmen, under Section 7, Chapter 61, Session Laws of 1888 . . . . .	\$75,000.00	\$75,000.00
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*University of Deseret.*

To O. F. Whitney, Chancellor—

Appropriation for buildings . . . . .	\$60,000.00	
Appropriation to complete building . . . . .	25,451.00	
Appropriation for normal students . . . . .	20,000.00	\$105,451.00

*School Fund—1888.*

To Davis County . . . . .	\$ 5,145.60	
To Box Elder County . . . . .	5,172.00	
To Juab County . . . . .	2,515.20	
To Salt Lake County . . . . .	28,956.00	
To Beaver County . . . . .	2,342.40	
To Washington County . . . . .	3,264.00	
To Morgan County . . . . .	1,444.80	
To Utah County . . . . .	17,505.60	
To Wasatch County . . . . .	2,856.00	
To Iron County . . . . .	2,018.40	
To Sanpete County . . . . .	11,344.80	
To Uintah County . . . . .	1,593.60	
To Piute County . . . . .	2,054.40	
To Tooele County . . . . .	2,906.40	
To Weber County . . . . .	11,760.00	
To Millard County . . . . .	3,012.00	
To Sevier County . . . . .	4,123.20	
To Kane County . . . . .	1,221.60	
To San Juan County . . . . .	204.00	
To Rich County . . . . .	1,135.20	
To Emery County . . . . .	3,009.60	
To Summit County . . . . .	4,735.20	
To Cache County . . . . .	11,767.20	
To Garfield County . . . . .	1,800.00	\$131,887.20

*School Fund—1889.*

To Beaver County . . . . .	\$ 2,232.50	
To Box Elder County . . . . .	5,231.10	
To Cache County . . . . .	11,862.80	
To Davis County . . . . .	4,871.55	
To Emery County . . . . .	3,515.60	
To Garfield County . . . . .	1,891.75	
To Iron County . . . . .	2,077.40	
To Juab County . . . . .	3,193.65	
To Kane County . . . . .	1,294.85	
To Millard County . . . . .	3,094.95	
To Morgan County . . . . .	1,410.00	
To Piute County . . . . .	2,070.35	
To Rich County . . . . .	1,146.80	
To Salt Lake County . . . . .	29,722.80	
To San Juan County . . . . .	253.80	
To Sanpete County . . . . .	10,960.40	
To Sevier County . . . . .	5,024.30	
To Summit County . . . . .	5,402.65	
To Tooele County . . . . .	2,904.60	
To Uintah County . . . . .	2,091.50	
To Utah County . . . . .	17,867.05	

To Wasatch County . . . . .	\$ 2,863.30	
To Washington County . . . . .	3,186.60	
To Weber County . . . . .	13,263.40	\$137,432.70
Total issue for the two years . . . . .		\$935,778.83
To which add warrants in circulation December 31st, 1887 . . . . .		17,525.37
		<hr/>
		\$953,304.20
From which deduct warrants redeemed by Treasurer during 1888-89 . . . . .		767,606.75
		<hr/>
Leaves warrants in circulation this date . . . . .		\$185,697.45

*FOURTH.*

Showing amount paid into the Treasury for the two years ending December 31, 1889 and the condition of the Treasury, December 31, 1887.		
Amount in Treasury this date . . . . .	\$170,670.44	
Amount received from the several collectors on account of taxes . . . . .	439,100.42	
Amount received from fines and forfeitures . . . . .	3,516.82	
Amount received from jury fees . . . . .	1,680.30	
Amount received from Estates of decedents . . . . .	2,393.50	
Amount received from sale of Territorial bonds (1,000) . . . . .	150,150.00	
Amount received from sale of laws . . . . .	135.00	767,646.48
Warrants redeemed by Treasurer as per his re- port this date . . . . .	767,606.75	
Balance in Treasury this date . . . . .	39.73	767,646.48

*FIFTH.*

Showing the condition of school fund at the close of the year 1889.		
Dec. 31, 1887, balance overdrawn this date . . . . .	\$ 69,319.63	
Dec. 31, 1889, paid orders of Commissioner of Schools for the year 1888 . . . . .	131,887.20	
Dec. 31, 1889, paid orders of Commissioner of Schools for the year 1889 . . . . .	137,432.70	338,639.53
By receipts from school tax for 1888 . . . . .	129,423.01	
By receipts from school tax for 1889 . . . . .	90,127.20	219,550.21
		<hr/>
To balance . . . . .		\$119,089.32
Amount due school fund on account of taxes as per statement attached . . . . .	65,799.52	65,799.52
Amount overdrawn after all taxes collected . . . . .		53,289.80

It will be seen from the foregoing that the school fund is gradually over-drawing the amount realized from school tax at the expense of the Territory. I would therefore recommend that the laws be so amended as to restrict the disbursement within the amount realized from the 3 mill tax. As the law now stands and as has been the custom in the past few years, the Commissioner allots the whole amount of taxes without allowing anything for remittances and losses from various causes. I would therefore respectfully suggest that the law be so amended as to prevent the schools from using other than the school tax.

The following unexpended balances of appropriations remain on the books of this office to the credit of the several accounts named, to wit:

Deseret Agricultural and Manufacturing Society . . .	\$ 112.80	
Second District Court (transporting safe) . . . . .	200 00	
John D. Kilpack . . . . .	44.95	
W. L. Shepherd . . . . .	46.20	
Penitentiary . . . . .	925.54	
Deficiency court expenses . . . . .	8,118 87	
Territorial Insane Asylum . . . . .	323.70	
District Court reporters . . . . .	3,137.00	
Commissioners to Locate University Lands . . . . .	400.00	
Capitol grounds . . . . .	1,000.00	
Territorial Board of Equalization . . . . .	500.00	
Agricultural College . . . . .	5,000.00	
Washington and Kane Counties, roads and bridges .	.78	
Sevier and Piute Counties, roads and bridges . . . .	1,000.00	
Clerk, Third District Court . . . . .	336.65	21,146.49

The following is a statement of the amount due from collectors of the respective counties named, on account of Territorial and school tax on the 31st of December, 1889, and the whole or nearly all can be relied upon as revenue, to-wit:

Beaver County . . . . .	\$ 2,794.34	
Box Elder County . . . . .	5,532.11	
Cache County . . . . .	14,819.53	
Davis County . . . . .	5,819.24	
Emery County . . . . .	3,200.26	
Garfield County . . . . .	1,515.02	
Iron County . . . . .	2,249.20	
Juab County . . . . .	5,087.00	
Kane County . . . . .	2,188.79	
Millard County . . . . .	2,503.22	
Morgan County . . . . .	1,546.54	
Piute County . . . . .	1,738.39	
Rich County . . . . .	2,196.46	
Salt Lake County . . . . .	50,513.62	
San Juan County . . . . .	1,425.97	
Sanpete County . . . . .	9,748.68	
Sevier County . . . . .	4,177.49	
Summit County . . . . .	6,652.78	
Tooele County . . . . .	6,115.64	
Uintah County . . . . .	1,774.57	
Utah County . . . . .	24,739.44	
Wasatch County . . . . .	3,497.09	
Washington County . . . . .	3,492.88	
Weber County . . . . .	30,735.89	\$194,064.3

Very Respectfully,

NEPHI W. CLAYTON,  
Auditor of Public Accounts for the Territory of Utah.

*Salt Lake City, Utah, December 31, 1889.*

## TREASURER'S REPORT.

TERRITORIAL TREASURER'S OFFICE,  
SALT LAKE CITY, UTAH,  
December 31, 1889. }

*To His Excellency, Arthur L. Thomas, Governor of Utah Territory:*

DEAR SIR:—I respectfully submit herewith my biennial report of the receipts and disbursements of this office for the two years ending at date:

## RECEIPTS.

Amounts received from the County Collectors of the following counties

Names of Counties.	Total Two Years.
Box Elder . . . . .	\$ 24,672.22
Beaver . . . . .	4,574.46
Cache . . . . .	25,261.77
Davis . . . . .	\$ 12,916.87
Emery . . . . .	13,524.80
Garfield . . . . .	2,787.86
Iron . . . . .	4,559.71
Juab . . . . .	12,646.88
Kane . . . . .	3,080.14
Morgan . . . . .	5,801.01
Millard . . . . .	12,760.30
Piute . . . . .	2,672.71
Rich . . . . .	4,169.11
Salt Lake . . . . .	197,156.00
Sanpete . . . . .	10,576.77
Sevier . . . . .	6,124.64
Summit . . . . .	18,564.24
San Juan . . . . .	3,878.34
Tooele . . . . .	6,683.96
Utah . . . . .	25,975.01
Uintah . . . . .	2,812.73
Wasatch . . . . .	3,084.21
Washington . . . . .	4,502.14
Weber . . . . .	30,314.54

*Fines and Forfeitures.*

First District Court . . . . .	\$ 1,977.70
Second District Court . . . . .	485.81
Third District Court . . . . .	1,053.31

*Jury Fund.*

First District Court . . . . .	792.00
Second District Court . . . . .	48.00
Third District Court . . . . .	840.30



*Estate of Decedents.*

Estate of W. Kuss; Wm. Brown, administrator . . . . . \$ 2,393.50

*Territorial Bonds.*

One hundred and fifty sold at \$1,001 . . . . . 150,150.00

*Laws of Utah.*

Received for Laws sold . . . . . 135.00

Balance on hand January 1, 1888, as per previous report . . . 170,670.44

Total . . . . . \$767,646.48

*DISBURSEMENTS.*

Auditor's warrants redeemed at the Treasury during the years

1888 and 1889 . . . . . \$ 767,606.75

Balance in Treasury at date . . . . . 39.73

Total. . . . . \$767,646.48

Respectfully Submitted,

JAMES JACK,  
Territorial Treasurer.

*To The Governor :*

In view of the sitting of the Legislature at an early day, I have deemed it advisable to direct your attention to some provisions of the penal code, which it would seem, require consideration, and perhaps amendment.

The pressure of public and professional duties, has prevented me from giving the matter the attention it deserves, and I am therefore only able to point out some specific provisions defining certain offences and providing penalties. The references herein are made to Vol. 2, compiled laws, 1888.

Your attention is directed first, to the crimes of robbery, grand larceny, burglary, counterfeiting and forgery, pages 583, 622, 617, 621, 619 and Sections 4469, 4644, 4622, 4637, 4638, 4631. It is to be noted that the penalties for these offences are the same — i. e. from one to ten years imprisonment.

In my judgment, a distinction should be made between these offences. Robbery is always attended with menace or violence to the person, and burglary may include this element. The perpetration of either of these crimes, indicates of necessity

a physical courage and reckless disregard of consequences in the offender, which make him a very dangerous enemy to society. He executes his design prepared and determined to wound or slay the citizen if occasion requires. Therefore, the penalties imposed for the commission of such crimes, should be proportionate to their magnitude, and as severe as is consistent with humanity. Certainly they should not be the same as those for larceny, which is not attended in its execution with violence and danger to human life.

Counterfeiting and forgery, are crimes of great magnitude. Their successful accomplishment require abilities of an unusual and high order, together with a skill acquired only by years of special training and study. The rewards to the successful criminal, are prospectively great, and the risk of detection correspondingly small. The difficulties in the way of detection and punishment are so great that an inviting field for operation is presented to those having the requisite skill, address and nerve.

Forgery is justly viewed as crime of great magnitude, and the laws for its repression, are very severe in all civilized States. The penalties provided in this Territory are insufficient, and the legislature should remove it from the class of larceny.

Second, murder, page 579 Section 4455. The law divides this offence into degrees, but in its imposition of penalties, is strangely at variance with well digested systems of legislation on the subject.

Thus: voluntary manslaughter is punishable by imprisonment for a term not exceeding five years; murder in the second degree for a term of not less than five nor more than fifteen years; and murder in the first degree, by death or imprisonment for life.

In my judgment, the difference between the degrees in murder, does not warrant such a difference in the penalties. In the progressive crimes of felonious homicide, the minimum penalty for one, should begin with the maximum for the less offence. That is to say, the minimum penalty for murder in the second degree should begin with the maximum penalty for voluntary manslaughter, and should extend to imprisonment for life, or at least, for a long term of years. The alarming increase of this class of crimes in our territory of late, seems to require special attention to this subject. I think the penalty for voluntary manslaughter and murder in the second degree, is inadequate; the penalty for the first should extend to ten years, and for the second, from ten to life.

The provisions of the statutes authorizing the court, upon recommendation of the jury, to impose imprisonment for life, in lieu of the death penalty, in convictions of murder in the first degree, is not inconsistent with these suggestions; this provision is only designed to operate in special cases, and only in the discretion of the Court.

I also direct attention specially to the last paragraph of subdivision 3 — Section 4461, — p. 580.

This makes homicide justifiable when committed in a *sudden heat of passion*,— caused by an attempt to rape the wife, daughter, sister, mother or other female relation or *dependent*, or to defile the same, or when the defilement has actually been committed.

The inconsistency and absurdity of these provisions are apparent. The law is general and universal, that a man is justified in taking human life to prevent the commission of any felony, including, of course, rape. Any person, relative or stranger, would not only be justified in killing one who was attempting a rape, but morally delinquent, should he fail to do so, if the necessity of the case required it. Why then add an element to the law of justifiable homicide, which should not exist; under this statute to justify the taking of life, the slayer must show that he acted under a *sudden heat* of passion, in other words to justify the plain performance of a duty, he must first work himself into a rage. It is probably true that in the application of this law, courts and juries would disregard this absurd limitation, but its plain incongruity with criminal jurisprudence and our penal code, demands its elimination from the statute.

As to the last clause of this paragraph, I think the attention of the Legislature should be directed to the absolute license to commit murder herein given. The law hereby says to any person, you may lawfully kill any man who has defiled, (not raped) any of your female relatives or *dependents*. This would seem to include any member of a family.

While adultery and fornication, including seduction, are not punished by any government, so far as I am advised, with death—here, the private citizen may, in a sudden heat of passion as judge and jury try the supposed offender, and constitute himself the executioner, to enforce his own decree. This statute is *monstrous*—absolutely wicked in its evident disregard of the rights of society and the sacredness of human life. Everywhere it is generally conceded, that the defile-



ment of the nearest of blood relatives, is sufficient provocation or cause to induce the *sudden heat of passion*, which the law in its tenderness for the weakness of human nature, deems sufficient to reduce the offence to manslaughter. But the law does not JUSTIFY in such cases, it excuses and extenuates in part.

By this statute, however, you will observe, a man may (if he gets mad) constitute himself the avenger of the honor of any female relation, or dependent, no matter how far removed. It should be stricken from the statute book, as a disgrace to the civilization of the age.

Third: False pretences—page 628, Section 4677. This offence is now punishable by imprisonment in the county jail, not exceeding one year, and by fine.

To succeed in obtaining property by false pretences, requires a skill, address and power of design, not possessed by the ordinary thief. In my opinion, the penalty should be increased, and proportioned as in cases of larceny. Certainly there seems to be no good reason why the man who steals \$50 in money or property—should be sent to prison for ten years—while he who obtains perhaps a thousand dollars by means of fraudulent and false pretenses and representations, is punished only as a misdemeanor.

I suggest that this offence be divided into felonies and misdemeanors, depending on the amount or value obtained. In all cases when the property obtained is of the value of fifty dollars or more, make the crime a felony, and punish it as grand larceny is now punished. In all other cases, impose the penalties now provided for petit larceny.

Trusting you will be able to give the foregoing suggestions your consideration,—I remain,

Very respectfully,

CHARLES. S. VARIAN,  
U. S. Attorney.

January 5, 1890.

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Representative Williams presented the following and moved its adoption.

*Resolved*, That the message of His Excellency the Governor and accompanying documents be spread upon the

minutes of the Joint Session and that one (1) thousand copies thereof be printed.

Adopted.

The minutes of the Joint Session were read and approved.

On motion of Councilor Barton, the Joint Session was dissolved.

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At the dissolution of the joint session the House was called to order by the Speaker.

MESSAGE FROM THE COUNCIL.

Council Chamber,  
January 13, 1890.

*Mr. Speaker :*

I am directed to return to your honorable body H. C. R. No. 1, and notify you of the Council's concurrence therein.

Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Mr. Creer presented the following:

H. C. R. No. 2 :

*Resolved*, The Council concurring, that the Sergeant-at-Arms of each house be authorized to furnish each member and officer of this Assembly with four daily papers, or their equivalent in other papers, and the necessary postage stamps during the session, also that he be instructed to hire a box at the Post Office, and that the names of the members and officers, who desire it, be furnished to the Postmaster, and that the Sergeant-at-Arms make such arrangements as the members may desire for the delivery of their mail. .

Adopted unanimously.

On motion of Mr. Howell, the Sergeant-at-Arms was instructed to procure from the proper custodian a sufficient

number of copies of the Compiled Laws of Utah for 1888, to supply one to each member of the House.

Mr. Thurman moved that when the House adjourn, it be until Wednesday, January 15, at 2 o'clock p. m.

Carried.

On motion of Mr. Kimball the House adjourned.

Benediction by the Chaplain.

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### THIRD DAY.

HOUSE OF REPRESENTATIVES,  
Salt Lake City, Utah,  
Wednesday, January 15, 1890.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by Chaplain.

The Honorable the Secretary of the Territory administered the oath of office to the Chief Clerk.

Journal of Monday read, amended and approved.

#### REPORT OF ENROLLMENT CLERK.

House of Representatives,  
Salt Lake City, Utah,  
January 14, 1890.

Mr. Speaker—I have the honor to inform you that H. J. R. No. 1, relating to the election of Minute Clerks and Messenger has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day forwarded to His Excellency the Governor for his action thereon.

Respectfully,

JOHN BOYDEN,  
*Engrossing and Enrolling Clerk.*

The Speaker announced the standing committees of the House as follows:

## STANDING COMMITTEES OF THE HOUSE.

## ELECTIONS.

Creer, Ferrin, Williams, Howell, Sargent.

## JUDICIARY.

Thurman, Hammond, Kimball, Creer, Reid, Pierce, Stewart.

## CLAIMS AND PUBLIC ACCOUNTS.

Creer, Lowe, Allen, Lund, Howell.

## APPROPRIATIONS.

Howell, Robison, Ferry, Bennion, Stewart, Smith, Thurman.

## WAYS AND MEANS.

Williams, Hammond, Porter, Melville, Johnson.

## COUNTIES.

Lund, Ferrin, Russell, Smith, Wood.

## HIGHWAYS.

Melville, Thurman, Ferry, Johnson, Lowe.

## ENGROSSMENT.

Lowe, Pierce, Sargent.

## EDUCATION.

Allen, Creer, Hammond, Bennion, Stewart.

## MANUFACTURE AND COMMERCE.

Smith, Ferrin, Porter, Robison, Wood.

## MILITIA.

Stewart, Kimball, Reid.

## PENITENTIARY AND REFORM SCHOOL.

Kimball, Johnson, Reid, Russell, Wood.

## FISH AND GAME.

Porter, Williams, Sargent.

MINES AND MINING.

Ferry, Howell, Creer, Smith, Johnson, Lund, Melville.

PRIVATE CORPORATIONS.

Hammond, Thurman, Pierce, Robison, Bennion.

MUNICIPAL CORPORATIONS AND TOWNS.

Thurman, Reid, Ferry, Lowe, Howell.

ASYLUM FOR THE INSANE.

Wood, Williams, Sargent, Lund, Ferrin.

PUBLIC HEALTH.

Russell, Smith, Porter.

RULES.

Reid, Pierce, Lowe.

CONTINGENT EXPENSES OF THE HOUSE.

Ferrin Allen, Lund.

LIVE STOCK.

Johnson, Russell, Robison, Allen, Porter, Williams, Melville.

AGRICULTURE AND IRRIGATION.

Robison, Russell, Kimball, Melville, Wood.

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JOINT STANDING COMMITTEES.

ENROLLMENT.

Bennion, Allen, Stewart.

PUBLIC PRINTING.

Howell, Bennion, Kimball.

TERRITORIAL LIBRARY.

Sargent, Creer, Ferry.

MEMORIALS TO CONGRESS.

Pierce, Thurman, Hammond.



The Speaker read the following :

*Gentlemen of the House of Representatives :*

We have the honor to announce the reference of the message of His Excellency the Governor to the various committees.

That portion relating to reports of the Territorial treasurer and the Territorial auditor, together with exhibits "A" and "B"(treasurer's and auditor's reports) to the Committee on Claims and Public Accounts.

The University to the Committee on Education.

The Insane Asylum to the Committee on Asylum for the Insane.

The Reform School to the Committee on Penitentiary and Reform School.

The Capitol Grounds to the Committee on Ways and Means.

The Deseret Agricultural and Manufacturing Society to the Committee on Manufacture and Commerce.

The Territorial library to the Committee on Territorial Library.

The criminal code together with exhibit "C" (letter from U. S. District attorney) to the Committee on Judiciary.

The House of Correction, to the Committee on Penitentiary and Reform School.

The Banking Law to the Committee on Private Corporations.

The payment of interest by public institutions to the Committee on Ways and Means.

The rate of interest to the Committee on Judiciary.

The assessment of property to the Committee on Ways and Means.

The Board of Equalization to the Committee on Ways and Means.

The Geological Survey to the Committee on Mines and Mining.

The statistics to the Committee on Agriculture and Irrigation.

The public schools to the Committee on Education.

The highways to the Committee on Highways.

The Irrigation, to the Committee on Agriculture and Irrigation.

The Probate Judges to the Committee on Judiciary.

The Worlds Fair to the Committee on Counties.

The fish and game to the Committee on Fish and Game.

The Pardon Board to the Committee on Judiciary.

The fees of jurors and witnesses to the Committee on Judiciary.

The Arbor Day and Forest Fires to the Committee on Agriculture and Irrigation.

The memorials to Congress to the Committee on Memorials to Congress.

The situation to the Committee on Judiciary.

The deferred legislation to each committee in particular and to the whole House in general.

JAMES SHARP, *Speaker*.

#### PRESENTATION OF PETITIONS.

By Mr. Kimball—From Orlando W. Warner and 80 others, to create La Sal County.

Referred by request of Mr. Kimball to Committee on Counties.

#### MESSAGE FROM THE COUNCIL.

Council Chamber;

January 15, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day concurred in H. C. R. No. 2.

Respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Allen—H. F. No. 1, a bill to establish a free public school system in certain cities of the Territory of Utah.

Read the first time by its title and referred by request to the Committee on Education.

By Mr. Allen—H. F. No. 2, a bill for an act establishing a public school system and providing for the maintenance and supervision of public schools in the Territory of Utah.



Read the first time by its title and referred by request to the Committee on Education.

By Mr. Allen—H. F. No. 3, a bill for an act to provide for printing and distributing ballots at the public expense, etc.

Read by its title the first time and referred, by request, to the Committee on Elections.

By Mr. Kimball—H. F. No. 4, a bill to regulate the practice of medicine.

Read by its title the first time and referred to the Committee on Judiciary.

#### MOTIONS AND RESOLUTIONS.

By Mr. Allen—

*Resolved*, That after the first reading of any bill, introduced by a member of this House, it shall be ordered printed by the Committee on Printing.

ALLEN.

Adopted unanimously.

By Mr. Creer—

*Mr. Speaker:*

I move that the clerk be instructed to inform the persons named in Rule 34 that the freedom of the House is extended to them.

CREER.

Adopted.

By Mr. Thurman—H. C. R. No. 3:

House of Representatives,  
January 15, 1890.

*Resolved*, By the House, the Council concurring, that every report of any committee in either House of the Legislative Assembly upon any bill, resolution or other matter referred to said committee shall refer intelligibly to the title or subject matter thereof so that the Journal of each House may be a comprehensive history of the work of the session.

THURMAN.

Adopted.

By Mr. Hammond—H. C. R. No. 4 :

*Resolved*, The Council concurring, that the Joint Committee on Printing be instructed to solicit bids for public printing not provided for by Congressional appropriation, and be prepared at an early day to make recommendations in regard to the election of a Public Printer for the twenty-ninth session of the Legislative Assembly.

Adopted.

By Mr. Wood—H. R. No. 5:

*Resolved*, That a committee of two be appointed to confer with a like committee of the Council to determine upon a suitable hour for the daily meetings for both branches of the Assembly.

Adopted.

The Speaker appointed Messrs. Wood and Williams as said committee on part of the House.

By Mr. Howell—H. C. R. No. 5:

*Resolved*, By the House, Council concerning, that unless otherwise ordered the Joint Committee on Printing be authorized to have printed not to exceed 200 copies of each bill introduced in the Council and House

Adopted.

#### MESSAGE FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
January 15, 1890,

Sir.—I return herewith House Joint Resolution No. 1, "Relating to the election of Minute Clerks and Messenger."

I appreciate the kindly consideration which prompts the Legislative Assembly to authorize the appointment of a messenger by the Governor. I prefer not to avail myself of the privilege, and request that the portion of the resolution which relates to an appointment by me be stricken out.

I am, very respectfully,

ARTHUR L. THOMAS,  
Governor.

Hon James Sharp, Speaker of the House.

By Mr. Thurman—H. J. R. No. 1, as amended to meet the wishes of the Governor:

*Resolved*, By the Governor and Legislative Assembly of the Territory of Utah, that each House is hereby authorized to elect a minute clerk to serve during the present session of the Legislature, at a compensation of \$5.00 (Five Dollars) per day, and that the Assembly be authorized to elect a messenger for the Executive Department to serve during the session at a compensation of four Dollars per day (\$4.00). Said sums to be paid out of the Territorial Treasury.

Adopted as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—23.

Noes—0.

By Mr. Pierce—H. C. R. No. 6:

House of Representatives,  
January 15, 1890.

*Resolved*, The Council concurring, that a committee of three, to wit: two from the House and one from the Council, be appointed to audit all accounts of the Territorial Auditor and Treasurer and examine and compare redeemed Auditors warrants with the stubs, and said committee are hereby empowered to employ efficient accountants, if necessary, to assist them in auditing said accounts.

Adopted.

The Speaker appointed Messrs. Pierce and Hammond on the part of the House as said committee.

#### MESSAGE FROM THE COUNCIL.

Council Chamber,  
January 15, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day amended H. J. R. No. 1, by striking out all the matter in said resolution pertaining to a mes-

senger for the Executive Department, and as amended has adopted the same.

Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

On motion of Mr. Thurman, the amendment of the Council was concurred in and the resolution was referred to the Committee on Enrollment.

By Mr. Howell.—That the Sergeant-at-Arms be requested to furnish one of West's New Maps of Utah for the House.

Adopted.

By Mr. Ferry—H. C. R. No. 7:

*Resolved*, The Council concurring, that Caleb W. West, Jr., be and is hereby appointed as messenger for the Governor during the Twenty-ninth Legislative session, at a salary of \$4.00 per day, said amount to be paid out of the Territorial Treasury

Adopted.

On motion of Mr. Thurman, the House adjourned, at 4.10 p. m., until 2 p. m. to-morrow.

Benediction by the Chaplain.

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#### FOURTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Thursday, January 16, 1890.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain

Journal of the third day read, amended and approved.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Hammond—H. F. No. 5, a bill for an act to amend Section 182 of the Compiled Laws of Utah of 1888.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Hammond—H. F. No. 6, a bill for an act to amend Section 2158 of the Compiled Laws of Utah of 1888.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Creer—H. F. No. 7, a bill providing for a Fourth Judicial District.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Thurman—H. F. No. 8, a bill to provide for the protection of fish and game, and for the appointment of a Territorial and County Commissioners.

Read first time by its title and referred to the Committee on Fish and Game.

By request of Mr. Thurman a communication from John A. Brown and others, in relation to the protection of fish and game, was read and referred to the Committee on Fish and Game.

## MOTIONS AND RESOLUTIONS.

By Mr. Thurman—H. R. No. 6:

*Whereas*, by the laws of the United States, Section 16 and 36 of each township in the Territory of Utah are reserved for the purpose of being applied to schools in said Territory and in the States and Territories hereafter to be erected out of the same, and

*Whereas*, by said laws of the United States other lands have been reserved in a similar manner for university purposes, in said Territory, therefor

*Resolved*, that the Committee on Education be and is hereby instructed to investigate the subject and ascertain if said lands are now subject to disposal for the purposes to which they were dedicated, and if so what measures if any are necessary to be adopted by the Governor and Legislative Assembly respecting said subject, and that said committee report the result of its investigation hereon at the earliest practicable day during the present session.

Adopted and referred to the Committee on Education.



## MISCELLANEOUS BUSINESS.

Speaker announced that the Hon. Secretary has provided Committee Rooms in the Secretary's Office on West Temple Street.

On motion of Mr. Creer, House took recess subject to call of the Chair.

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3:20 p. m.

House called to order by the Speaker.

## REPORT OF THE COMMITTEE ON ENROLLMENT.

Committee Room,  
January 16, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that H. J. R. No. 1, relating to the election of Minute Clerk, has been correctly enrolled, signed by the Speaker and President, and was at 3:15 p. m. forwarded to the Governor for executive action thereon.

Respectfully,  
BENNION, *Chairman*.

## COMMUNICATION FROM COUNCIL.

Council Chamber,  
January 16, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in H. C. R. No. 5 and H. C. R. No. 6; and has refused to concur in H. C. R. No. 7.

Respectfully,  
FRANK J. CANNON,  
*Chief Clerk*.

## COMMUNICATION FROM COUNCIL.

Council Chamber,  
January 16, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the



Council has this day, upon recommendation of the Committee on Rules, rejected H. C. R. No. 3, deeming the object of same to be covered by rules 20 and 31 of the Legislative Council already in force.

Respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### REPORT OF SPECIAL COMMITTEE.

Committee Room,  
January 16, 1890.

*Mr. Speaker:*

Your Special Committee appointed to confer with a like committee from the Council with reference to selecting a uniform hour for the sitting of both Houses of the Assembly, report that the committee has agreed to recommend 2 p. m. as the hour of meeting until further notice.

Respectfully,

WOOD, *Chairman.*

On motion of Mr. Hammond adopted.

Mr. Ferry moved for a Conference Committee on H. C. R. No. 7.

Adopted, and the Speaker appointed on the part of the House, Messrs. Ferry and Thurman.

On motion of Mr. Creer the Sergeant at-Arms was instructed to procure sufficient registers for the Chairmen of the various committees.

#### MESSAGE FROM COUNCIL.

Council Chamber,  
January 16, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day appointed Councilors Hatch and Hall to confer, on the part of the Council, on H. C. R. No. 7.

Respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Speaker announced the table clear of business for the day.

On motion of Mr. Hammond, the House adjourned, at 4 p. m., until 2 p. m. to-morrow.  
Benediction by the Chaplain.

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## FIFTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Friday, January 17, 1890.

2 p. m.

House met pursuant to adjournment.  
The Speaker in the Chair.  
Roll call—quorum present.  
Prayer by the Chaplain.  
Journal of the fourth day read, amended and approved.

## REPORTS OF STANDING COMMITTEES.

Committee Room,  
January 17, 1890.

*Mr. Speaker:*

Your Joint Committee on Public Printing, who were instructed to solicit bids for printing the daily minutes of the Twenty-ninth Session of the Legislative Assembly and other matter not provided for by Congressional appropriation, respectfully report, that we have duly considered the subject and after receiving bids, we find that George C. Lambert is the lowest responsible bidder, and there recommend that he be elected to the office of Public Printer.

HOWELL, *Chairman.*

Laid on the table.

## COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, January 16, 1890.

*Hon. James Sharp, Speaker House of Representatives,  
Salt Lake City, Utah:*

Sir.—I have approved and filed in the office of the

Secretary of the Territory, H. J. R. No. 1, "relating to the election of Minute Clerks."

I am, sir, very respectfully,

ARTHUR L. THOMAS, *Governor.*

The Speaker announced that nominations for Minute Clerk were now in order.

Mr. Hammond nominated S. T. Whitaker of Ogden.

Mr. Williams nominated E. A. McDaniels of Ogden.

Mr. Whitaker, was elected Minute Clerk on a rising vote of 17 to 6.

The Speaker administered the oath to the Minute Clerk.

#### COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 15, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in H. C. R. No. 4, and herewith return the same.

Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Hammond—H. F. No. 9, a bill for an act to amend Section 2349 of the Compiled Laws of Utah of 1888.

Read by its title first time, and referred to the Committee on Private Corporations.

By Mr. Porter—H. F. No. 10, a bill amending Section 2205, and repealing Sections 2203, 2204, 2206, 2209 and 2213 of the Compiled Laws of Utah, of 1888.

Read first time, and referred to the Committee on Live Stock.

By Mr. Pierce—H. F. No. 11, a bill to legalize instruments of writing now on record in the offices of the several county recorders of the Territory.

Read first time by its title, and referred to Committee on Judiciary.

## MOTIONS AND RESOLUTIONS.

By Mr. Wood—H. C. R. No. 8:

*Resolved*, The Council concurring, that an extra edition of one hundred (100) copies of the daily minutes of each House be printed for the use of the members of the Assembly.

Adopted.

By Mr. Howell:

On motion of Mr. Howell the Chairman of each committee, to whom any bill is referred, was instructed to present the same for printing to the Committee on Printing.

Adopted unanimously.

By Mr. Howell—That when the House adjourn it be until Monday, January 20, 1890, at 2 p. m.

Adopted unanimously.

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 17, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. C. R. No. 5, and forward same for your action.

Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

C. C. R. No 5.

*Resolved*, The House concurring, that George C. Lambert be and hereby is elected Public Printer.

On motion of Mr. Kimball, House concurred in the action of the Council, and George C. Lambert, was declared elected Public Printer

## COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 17, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day passed C. F. No. 1, and the same is forwarded for your action.

Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

C. F. No. 1—a bill amending Section 14, of Chapter VI, of Compiled Laws of Utah.

Read first time, and on motion of Mr. Hammond was referred to Committee on Judiciary.

#### COMMUNICATION FROM THE COUNCIL.

Council Chamber,  
January 17, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in H. C. R. No. 8.

Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Mr. Smith was excused from attendance until Tuesday, January 21, 1890.

On motion, of Mr. Pierce, the House adjourned, at 3:05 p. m., until 2 p. m. Monday, January 20, 1890.

Benediction by the Chaplain.

#### EIGHTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Monday, January 20, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the fifth day read, amended and approved.



On motion of Mr. Hammond, Mr. Ferry was excused for the day.

## REPORTS OF STANDING COMMITTEES.

Representative Hall,  
January 20, 1890.

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred H. F. No. 7, creating a Fourth Judicial District, respectfully report that the laws of the United States provide that the Territory of Utah shall be divided into three Judicial Districts and makes no provision for increasing that number. The committee are of the opinion that said laws are a limitation upon the power of the Utah Legislature to create an additional district.

In the opinion of the committee there may be some doubt as to whether said laws are positive and absolute limitations upon the power of the Legislature to pass the bill, but the committee deem it injudicious to assume the risk upon a matter of such grave and serious importance. Believing, however, that such legislation is necessary and convenient, and that the power ought to be reposed in the local legislature, the committee respectfully recommend that the Joint Committee on Memorials to Congress be instructed to draft a memorial to Congress for such legislation as may be necessary to enable the Governor and Legislative Assembly of this Territory to create said Fourth Judicial District and to alter and modify the organization of the several judicial districts of said Territory, as the Governor and Legislative Assembly may by law determine. The committee recommend that said bill herewith returned lay on the table.

THURMAN, *Chairman.*

On motion of Mr. Kimball the report was adopted, and the subject matter referred to the Joint Committee on Memorials to Congress, and H. F. No. 7 laid on the table.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Reid - H. F. No. 12, a bill to provide for the assessing and collecting of taxes on transitory herds.

Read first time by its title and referred to the Committee on Ways and Means.



By Mr Reid—H. F. No. 13, a bill authorizing and requiring the several County Recorders to furnish abstract of mortgages to the Assessors of the county in which the mortgagee resides.

Read first time by its title and referred to the Committee on Ways and Means.

By Mr. Reid—H. F. No. 14, a bill to amend Section 5381 of the Compiled Laws of Utah of 1888.

Read first time by its title and referred to Committee on Judiciary.

By Mr. Sargent—H. F. No. 15, a bill for an act repealing Section 2206, Compiled Laws of Utah, Vol. 1, of 1888, and in relation to District Poundkeepers and butchering meat cattle.

Read first time by its title and referred to Committee on Live Stock.

#### MOTIONS AND RESOLUTIONS.

By Mr. Sargent—That the Sergeant-at-Arms be instructed to procure from the Territorial Librarian for the use of the House the Compiled Laws of Idaho, Montana, New Mexico, Arizona, Colorado and Nevada.

Mr. Creer amended by striking out the States and Territories named, and inserting in lieu thereof the words: "all the Western States and Territories."

Motion carried as amended.

#### MISCELLANEOUS BUSINESS.

Mr. Kimball presented the claims and accounts of G. R. Belnap, Sheriff of Weber County, amounting to eleven hundred and ninety-seven (\$1,197.00) dollars.

Read and referred to the Committee on Claims and Public Accounts.

The speaker presented the following communication from H. L. A. Culmer, Editor *Journal of Commerce*.

Salt Lake City, Utah,  
January 18, 1890.

*Hon. James Sharp, Speaker, and Members of the House of Representatives, Legislative Assembly:*

Concerning the matter of establishing a Territorial Bureau of statistics, referred to in the Governor's message, I beg to submit the following:

The Governor of the Territory is required annually to submit to the Secretary of the Interior a report on the condition and development of the affairs of the Territory. He rarely fails to account for the paucity of reliable data by referring to the want of a Bureau of Statistics; and in the place of official figures he gives approximate data, gathered at great disadvantage by a few public spirited citizens who bear the labor themselves rather than the Territory should go wholly unrepresented.

From these reports of Territorial Governors, the general government compiles its comparative reports, and our fair Territory suffers in comparison because in the absence of data it seems to be assumed that we have but limited resources. Thus, for instance, the U. S. Department of Agriculture, in its published reports, contains the most absurd figures regarding our field and farm products, and instead of setting us where we belong, as possessing under our system of irrigation the most fertile and productive lands of all the States, we appear to be groveling amid sterile farms, scarcely producing enough to maintain existence. A citizen of Utah, familiar with our fruitful farming interests, cannot but blush with shame in reading these reports. The industrial journals of the country take these false official data as their basis and comment on them to our disadvantage. The Senate committees who from time to time are called to report on our comparative importance in the list of Territories, look no further than these garbled and insufficient statements, and our worth is made to appear insignificant. Utah continues to be considered a desert and the region of little importance.

I have more than once asked aid from government sources in correcting this ill-repute and in the development and exploration of our latent resources. Each time I have been asked in return, "What is your Territory doing towards it? Show a disposition to meet us half way and you can secure aid."

There are vast regions in Utah that are practically unexplored as to their capabilities of sustaining population, yet tales are told of what they might produce were the truth set forth in an official way. Nothing would so quickly inspire the settler to redeem these places or attract railroads to penetrate them as reliable and official statements of the possibilities that exist there.

The cost to the Territory of securing and disseminating

this information is a bagatelle compared to the benefits that would follow.

Data of untold value for comparison has been lost in the years that are gone; and though the immediate results of the labors of a statistician will be of exceeding value at once, they will increase in interest as the records accumulate. If data is secured in 1890, it will be as precious in 1900 as at the end of this year.

There are only two or three who have gathered information of this sort in the last ten years, but with tact and ingenuity the statistician will be able to secure the assistance of hundreds.

There are a myriad letters received annually by persons in this Territory asking for this data. Whoever attempts a reply feels ashamed to send such meagre data, clothed in apology for its incompleteness. I have but just received an enquiry from the Department of the Interior asking for information that would require far greater time and toil than I can afford to spare. A complete and satisfactory answer would undoubtedly be to the benefit of our important mining and smelting interests. I must decline with regrets, but a dutiful statistician would be sure to have all the information asked for and could do the Territory credit by his reply.

The Chamber of Commerce of this city has done the bulk of the work so far. It is unable to do it well without assistance, but will undoubtedly aid to the full of its power, in making the labors of the statistician effective.

As to the cost of maintaining this office, it is not easy to say. Something of value might be accomplished with \$1,500 per annum, being \$1,000 for salary of statistician and \$500 for stationery, printing, etc., but the proper amount would be \$2,500, say, \$1,200 for principal and \$500 for stationery, etc., and \$800 for clerk. Or, in consideration of the initial labors being so great (in the utter absence of data at present), \$2,500 for the first year and \$2,000 per annum for succeeding years.

Very respectfully,  
H. L. A. CULMER.

Read and referred to the Committee on Agriculture and Irrigation.

The Speaker presented the report of Geo. D. Pyper, Court Commissioner for the Third Judicial District, for the

years 1888 and 1889, which was read, sent to the Council for their information and referred to the Committee on Claims and Public Accounts.

The Speaker presented the report, claims and recommendation of Nathan Davis, Territorial Sealer of Weights and Measures.

Read and referred to the Committee on Claims and Public Accounts.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 20, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. J. R. No. 1, and the same is forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

C J. R. No. 1:

*A Resolution*, authorizing the Secretary of the Territory to employ a Messenger for the Executive Office:

*Be it Resolved*, by the Governor and Legislative Assembly of the Territory of Utah, that the Secretary of the Territory be and he hereby is authorized to employ, during the present session of the Legislative Assembly, a Messenger for the Executive Office at an expense not exceeding four dollars per day, which shall be paid out of the Territorial Treasury.

Read, and, on motion of Mr. Thurman, action deferred until to-morrow, Jan. 21, 1890.

On motion of Mr. Hammond, House adjourned, at 3 p. m., until 2 p. m. to-morrow.



## NINTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Tuesday, January 21st, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the eighth day read, amended and approved.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Hammond—H. F. No. 16, a bill for an act to amend Sections 2802, 2803, 2805, and 2807 of the Compiled Laws of Utah of 1888.

Read the first time by its title and referred to the Committee on Judiciary.

## SPECIAL ORDER OF THE DAY.

C. J. R. No. 1 was taken up and on motion of Mr. Kimball rules were suspended and C. J. R. No. 1 was read first, second and third time, and on motion of Mr. Thurman was made the special order for to-morrow, January 22nd, 1890.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 21, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day heard read the report of Geo. D. Pyper, Court Commissioner, and the same is returned to you with thanks for your courtesy.

Very respectfully.

FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
January 21, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day accepted the accompanying invitation, and is informed that the special train will leave this city at 9:30 a. m.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

The accompanying communication from W. N. Dusenberry, President of the Board of Directors for the Territorial Insane Asylum, was read:

COMMUNICATION.

From W. N. Dusenberry, President of the Board of Directors of the Territorial Insane Asylum as follows:

Salt Lake City, Utah,  
January 20, 1890.

*Hon. F. S. Richards, President of the Council:*

Sir.—On behalf of the Board of Directors, I respectfully invite the members of the Legislative Assembly to visit the Insane Asylum, at Provo, Utah, on Thursday, January 23rd, 1890. If the invitation is accepted, a special train will be furnished, which will probably leave Salt Lake City about 9 a. m., returning about 5 p. m.

Very respectfully,  
W. N. DUSENBERRY,  
*President of the Board.*

CONSIDERATION OF THE COUNCIL COMMUNICATION.

On motion of Mr. Williams, the invitation of the Board of Directors for the Territorial Insane Asylum was accepted.



## COMMUNICATION FROM COUNCIL.

Utah Legislature,  
Council Chamber,  
January 21, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted C. C. R. No. 6, and the same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

C. C. R. No. 6:

*Whereas*, John W. Turner, one of the Court Commissioners appointed to pay jurors and witnesses in Territorial cases, should make his report to the Legislature during the first ten days of its session;

*And whereas*, the said commissioner has had serious sickness and death in his family, and thereby has been necessarily delayed in getting ready his said report;

*Therefore be it resolved*, by the Council, the House concurring, that said commissioner, John W. Turner, be allowed ten days additional time in which to make his report.

Booth.

## CONSIDERATION OF C. C. R. NO. 6.

C. C. R. No. 6 was read, and on motion not concurred in.

## COMMUNICATION FROM THE SECRETARY OF THE CHAMBER OF COMMERCE.

Salt Lake, January 18, 1890.

Dear Sir.—An adjourned meeting of the stockholders of Salt Lake Chamber of Commerce, will be held at the Chamber, No. 70 W. Second South, Thursday evening, January 23d inst., to consider what legislation, if any, Congressional, Territorial, or municipal is needed, to enable the city or the citizens or both together to pave and sidewalk the streets, and to consider the subject of street pavement and other improvements at large. Also the matter of a

Federal government building for the use of its officers in this city, and whether the amount of money asked to be appropriated for that purpose ought not to be \$1,000,000 rather than \$500,000. In accordance with a vote of the original meeting, held Friday, Jan. 17 inst., the secretary, in behalf of Salt Lake Chamber of Commerce, hereby extends an invitation to the members of the Legislative Assembly to attend said meeting and take part in the discussion.

Respectfully,  
O. J. HOLLISTER,  
*Secretary Chamber of Commerce.*

*Hon. James Sharp, Speaker of the House of Representatives Utah Legislative Assembly, Salt Lake, Utah.*

#### CONSIDERATION OF THE COMMUNICATION.

On motion of Mr. Williams, the invitation was accepted.

#### COMMUNICATION FROM THE COUNCIL

Was received, stating that the Council had accepted an invitation from O. J. Hollister to attend an adjourned meeting of the stockholders of the Chamber of Commerce to be held Thursday evening, January 23, inst.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 21, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 6, and the same is forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

C. F. No. 6, A bill to prohibit members of the Legislative Assembly from being appointed to certain offices.

#### CONSIDERATION OF C. F. NO. 6.

C. F. No. 6 read the first time and referred to the Committee on Judiciary.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 21, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 4, and the same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

C. F. No. 4, a bill to validate and make admissible in evidence certain deeds, conveyances, mortgages, powers of attorney and other instruments affecting title to real estate heretofore recorded in or upon the records of the office of the County Recorders of the several counties of this Territory wherein the same are defectively executed, attested, acknowledged, certified, recorded or certified of record, except as against subsequent purchasers, incumbrancers and assignees.

## CONSIDERATION OF C. F. NO. 4.

C. F. No. 4, read first time and referred to Committee on Judiciary.

## MISCELLANEOUS BUSINESS.

Mr. Robison presented the report of Mr. Benj. Bennett, Court Commissioner for the Second Judicial District, which was read, sent to the Council for their information, and referred to the Committee on Claims and Public Accounts.

Mr. Wood presented the report of the President of the Board of Directors for the Asylum for the Insane together with accompanying report of the medical superintendent.

On motion of Mr. Thurman, the documents were received and referred to the Committee on the Asylum for the Insane, and sent to the Council for their information.

On motion of Mr. Sargent, the House adjourned, at 3.20 p. m., until 2 p. m. to-morrow, January 22nd, 1890.

Benediction by the Chaplain.

## TENTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Wednesday, January 22, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the ninth day read, amended and approved.

On motion of Mr. Pierce, Mr. Kimball was excused for the day.

## REPORTS OF STANDING COMMITTEES

House of Representatives,  
January 22, 1890.

Your Committee on Memorials to Congress, to which was referred the report of the Committee on Judiciary, relative to creating a Fourth Judicial District, report that it has carefully considered the same, and herewith submits a draft of a "Memorial to Congress" upon the subject of said Fourth District, and recommends that the same be adopted at once.

PIERCE, *Chairman*.

Salt Lake City,  
Jan. 21, 1890.

*To the Honorable the Senate and House of Representatives  
of the United States in Congress assembled:*

Your memorialists, the Governor and Legislative Assembly of Utah, respectfully represent that by an act of Congress entitled "An act providing for an additional Associate Justice of the Supreme Court of the Territory of Utah and for other purposes," approved June 25th, 1888, provision was made for the appointment of an additional Associate Justice of the Supreme Court of the Utah Territory and said appointment has been made as in said act provided.



That said act of Congress while creating the office of additional associate justice as aforesaid did not provide for the creation and organization of a fourth judicial district in said Territory, and in consequence thereof there are at present four district judges in said Territory operating in three judicial districts to the great inconvenience of the judges aforesaid and of the people of said Territory.

That your memorialists are of the opinion in view of the statutes of the United States heretofore passed and approved authorizing the division of said Territory into three judicial districts, that the Governor and Legislative Assembly of said Territory are powerless to create a fourth judicial district or provide for the organization thereof notwithstanding the same is necessary and will be convenient for the due, proper and economical administration of the law in said Territory.

Your memorialists therefore respectfully pray your honorable body for such legislation as will enable said Governor and Legislative Assembly to create and organize a fourth judicial district in said Territory, and alter, change and modify from time to time the organization of the several judicial districts in said Territory in such manner as said Governor and Legislative Assembly may deem wise and expedient, and your memorialists will ever pray.

#### CONSIDERATION OF THE COMMITTEE'S REPORT.

Report read, and on motion of Mr. Wood was adopted.

Memorial read, and on motion of Mr. Thurman was adopted unanimously.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Porter—H. F. No. 17, a bill to amend Section 2084 of the Compiled Laws of Utah of 1888.

Read the first time by its title and referred to the Committee on Highways.

By Mr. Russell—H. F. No. 18, a bill for the better regulation of transitory herds and for other purposes.

Read the first time by its title and referred to the Committee on Highways.

By Mr. Wood—H. F. No. 19, a bill for an act prohibiting selling, giving away, or furnishing of tobacco, opium, or other narcotics in any form, to minors.

Read the first time by its title and referred to the Committee on Public Health.

## SPECIAL ORDER OF THE DAY.

## Report of Conference Committee:

Your Committee of Conference on H. J. R. No. 6, respectfully report that no agreement has been reached upon same.

FERRY.

On motion of Mr. Thurman the report was adopted.

C. J. R. No. 1 was taken up and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Stewart, Thurman, Williams, Wood—20.

Noes—Sargent—1.

Absent—Kimball, Smith—2.

## MOTIONS AND RESOLUTIONS.

On motion of Mr. Hammond, the pamphlet containing the names and residences of the members and officers of the Legislative Assembly of the Territory of Utah was ordered returned to the public printer for correction.

## MISCELLANEOUS BUSINESS.

The Speaker presented the report of Joseph Stanford, Court Commissioner of the Ogden division of the First Judicial District of the Territory of Utah, for the years 1888 and 1889, which was read and referred to the Committee on Claims and Public Accounts, and sent to the Council for their information.

## COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
January 22, 1890

*To the Honorable the Legislative Assembly, Salt Lake City, Utah:*

Gentlemen.—I have the honor to transmit herewith the



biennial report of the Commissioner of Schools for Utah Territory.

I am, very respectfully,  
ARTHUR L. THOMAS, *Governor*.

CONSIDERATION OF THE GOVERNOR'S COMMUNICATION.

Governor's communication was read as was also the biennial report of the Commissioner of Schools for Utah Territory for the years 1888—1889.

CONSIDERATION OF REPORT OF COMMISSIONER OF SCHOOLS.

On motion the report was referred to the Committee of Education and sent to the Council for their information.

Mr. Creer presented claim of Martin S. Lindsay, (\$5.00) five dollars, for clerical services on the last day of the 28th Session of the Legislature, which was read and referred to the Committee on Claims and Public Accounts.

REPORT OF COMMITTEE ON JUDICIARY.

Representatives Hall,  
January 22, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No. 6, respectfully report that in the opinion of the committee Sec. 8 of the organic act provides all that is necessary in respect to the subject matter of said bill, and that further legislation in respect thereto is unnecessary. The committee therefore recommend that said bill be rejected,

THURMAN, *Chairman*.

CONSIDERATION OF THE COMMITTEE'S REPORT.

Report read, and, on motion of Mr. Allen, adopted and C. F. No. 6 rejected.

REPORT OF COMMITTEE ON JUDICIARY.

Representatives Hall,  
January 22, 1890.

*Mr. Speaker:*

The Committee on Judiciary to whom was referred

C. F. No. 1, amending Sec. 14, of Chapter VI, page 296 Vol. I Compiled laws of Utah, 1888, respectfully report that the committee have duly considered said bill, and recommend that it be put on its passage and that H. F. No. 5, relating to the same subject be rejected.

THURMAN, *Chairman*.

Report read, and, on motion of Mr. Stewart, adopted.

#### CONSIDERATION OF C. F. No. 1.

On motion, placed on file for second reading.

#### CONSIDERATION OF H. F. No. 5

On motion, rejected.

Mr. Pierce moved that the House cause to be printed two hundred (200) additional copies of H. F. No. 1.

Mr. Allen moved to amend by adding "and also one hundred (100) copies of H. F. No. 2."

Motion carried as amended.

Mr. Greer moved that when the House adjourn it be until Friday, January 24th, at 2 p. m. Carried.

On motion of Mr. Pierce, House adjourned, at 3:25 p.m., until Friday, January 24th, 1890.

Benediction by the Chaplain.

### TWELFTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Friday, January 24, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the tenth day read and approved.

On motion of Mr. Ferry, Mr. Allen was excused for the day.

On motion of Mr. Hammond, Mr. Howell was excused for the day.

Mr. Smith explained the cause of his absence for the two previous days. Explanation accepted.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Pierce—H. F. No. 20, A Bill to amend Sections 4455, 4457, 4461, 4462, 4622, 4631, 4677 and to repeal Section 4469 of the Compiled Laws of Utah of 1888, relating to the penal code.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Porter—H. F. No. 21, A Bill to provide for the encouragement of the manufacture of sugar and paying a bounty therefor.

Read first time by its title and referred to the Committee on Manufacture and Commerce.

By Mr. Creer—H. F. No. 22, A Bill to provide for an appropriation for the contingent expenses of the Twentieth Session of the Legislative Assembly.

Read first time by its title, and on motion of Mr. Thurman all rules interfering with the passage of the bill, were suspended—Ayes 13, noes 6.

Read second time and amended.

Read third time and passed.

Ayes—Bennion, Creer, Ferrin, Johnson, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Sargent, Stewart, Wood, Thurman—15.

Noes—Ferry, Hammond, Pierce, Smith, Williams—5.

Absent—Allen, Howell, Kimball—3.

Title approved.

By Mr. Kimball—H. F. No. 23, A Bill granting the power of veto to mayors, and providing for a president of city councils, and authorizing the mayor to appoint certain officers in cities having over 5000 inhabitants.

Read first time by its title and referred to the Committee on Municipal Corporations and Towns.

By Mr. Kimball—H. F. No. 24, A Bill to prevent and forbid preference in assignments made by debtors in trust for the benefit of their creditors.

Read first time by its title, and referred to the Committee on Judiciary.

## MOTIONS AND RESOLUTIONS.

By Mr. Wood—H. C. R. No. 9:

*Resolved*, the Council concurring, that the committee on public printing be authorized to have five hundred (500) copies of the Report of the President of the Board of Directors and Medical Superintendent of the "Asylum for the Insane" printed in pamphlet form for the information of this Assembly and the furnishing copies to all officers, institutions and libraries of this Territory, and as many to other States and Territories as may be necessary.

L. S. WOOD.

Resolution read and adopted.

## SECOND READING OF BILLS.

C. F. No. 1, A Bill amending Section 14, Chapter 6, Compiled Laws of Utah.

Read second time and filed for third reading.

## MISCELLANEOUS BUSINESS.

The Speaker presented a report of the Capitol Grounds Commission, which was read, referred to the Committee on Ways and Means, and sent to the Council for their information.

By Mr. Russell—Bill of the Deseret News Company for printing for the Second District Court, which was read and referred to the Committee on Claims and Public Accounts.

By Mr. Pierce—Bill from H. G. McMillan, Clerk of the Third Judicial District Court, for two metallic document file cabinets and freight.

Read and referred to the Committee on Claims and Public Accounts.

Mr. Thurman presented a communication with reference to exchange of Utah reports, etc., from John M. Zane, Supreme Court Reporter, which was read and referred to the Committee on Territorial Library, and sent to the Council for their information.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 24, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day received and considered the report of the Commissioner of Schools, and the same is now returned to the House.

Very Respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
January 24, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 7 and the same is herewith forwarded for your action.

Very Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. NO. 7.

C. F. No. 7, A Bill amending Sections 2320 and 2323 of the Compiled Laws of Utah.

Read first time, and referred to the Committee on Private Corporations.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 24, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day concurred in H. C. R. No. 9.

Very Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

By Mr. Hammond—H. C. R. No. 10:

*Resolved*, the Council concurring, that Professor Sanbourn, Director of the Agricultural College of Utah, be and is hereby invited to address the Assembly at 7:30 p.m., on Monday, January 27th, in the hall of the House



of Representatives, upon the Agricultural College and the experimental station in connection therewith.

Resolution read and adopted.

By Mr. Hammond—The report of the Territorial Board of Equalization of Assessment of Territorial and Territorial school taxes

Read and referred to the Committee on Ways and Means and sent to the Council for their information.

Mr. Hammond moved that when the House adjourn it be until Monday, Jan. 27th, at 2 p. m. Carried.

#### COMMUNICATION FROM COUNCIL.

Utah Legislature,  
Council Chamber,  
January 24, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day referred the report of the Capitol Grounds Commission to the Council Committee on Capitol Grounds.

Very Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

On motion, of Mr. Ferry, the House adjourned, at 3:35 p. m., until Monday, January 27, 1890.

Benediction by the Chaplain.

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#### FIFTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Monday, January 27, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the twelfth day read, amended and approved.

On motion of Mr. Porter, Mr. Ferrin was excused for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Hammond—From the Chamber of Commerce pertaining to the manufacturing of sugar and paying a bounty therefor.

Read and referred to the Committee on Manufacture and Commerce.

By Mr. Sargent—From Peter Allan, ex-Assessor and Collector of San Juan County, asking relief for delinquent school taxes.

On motion of Mr. Kimball, referred without reading to the Committee on Claims and Public Accounts.

By Mr. Robison—From John Morrill, Clerk of Piute County, asking for relief on account of double assessment on a certain herd of sheep.

Referred without reading to the Committee on Claims and Public Accounts.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 25, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in H. C. R. No. 10, and the same is herewith returned to the House.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
January 24, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received reports of Court Commissioners Stanford and Bennett, has referred the same (by copies

thereof) to the Committee on Claims and Public Accounts, and herewith returns the originals.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
January 25, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 8, "A Bill for an act making it a misdemeanor to give, sell or otherwise dispose of intoxicating drinks to habitual drunkards," and the same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. No. 8.

A bill for an act making it a misdemeanor to give, sell or otherwise dispose of intoxicating drinks to habitual drunkards.

Read first time and referred to the Committee on Judiciary.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 25, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day amended and passed H. F. No. 22, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF H. F. No. 22.

On motion of Mr. Kimball, House concurred in amendments, and H. F. No. 22 passed as amended.

Ayes—Allen, Bennion, Hammond, Johnson, Kimball, Lund, Melville, Porter, Russell, Reid, Robison, Smith, Sargent, Stewart, Wood—15.

Noes—Ferry, Pierce, Williams—3.  
 Absent—Creer, Ferrin, Howell, Lowe, Thurman—5.  
 Title approved.  
 H. F. No. 22 sent to the Committee on Enrollment.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
 Council Chamber,  
 January 25, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day adopted H. F. No. 2, "Memorial to Congress," and herewith returns the same to you.

Very respectfully,  
 FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF MEMORIAL.

Read and referred to the Committee on Enrollment.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
 Council Chamber,  
 January 25th, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 9, "A Bill for an act amending Section 5443, Chapter 2, part 15, Vol. 2, of the Compiled Laws of Utah, entitled An Act regulating fees and compensation for official and other services in the Territory of Utah," and the same is herewith forwarded for your action.

Very respectfully,  
 FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. No. 9.

Read first time and referred to the Committee on Judiciary.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 25, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day referred the communication of John M. Zane, Supreme Court Reporter, to the Joint Committee on Territorial Library, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON.  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
January 25, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day considered the report of the Territorial Board of Equalization, and has referred a copy thereof to its Committee on Ways and Means. The report is herewith returned to the House.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Reid—H. F. No. 25, A Bill to amend Section 1824 of the Compiled Laws of Utah of 1888.

Read first time and referred to the Committee on Municipal Corporations and Towns.

By Mr. Kimball—H. F. No. 26, A Bill relating to grades of city streets and providing for assessments for the improvement of streets and sidewalks.

Read first time by its title and referred to the Committee on Municipal Corporations and Towns.

By Mr. Sargent—H. F. No. 27, A Bill amending Section 2825, Compiled Laws of Utah of 1888, Vol. 2.

Read first time by its title and referred to the Committee on Judiciary.



## MOTIONS AND RESOLUTIONS.

By Mr. Kimball:

I move that Rule 31 of the House of Representatives be amended as follows: The title of every bill shall express the subject to which the same relates, and if the bill proposes any amendment to existing laws, the title shall also contain the sections and the chapter of the law which the bill proposes to amend and the bill shall set out the amended sections in full expressing the changes or amendments in italics.

On motion of Mr. Hammond, referred to the Committee on Rules.

## THIRD READING OF BILLS.

C. F. No. 1, A Bill amending Section 14, Chapter 6, Compiled Laws of Utah.

Pending third reading, on motion of Mr. Williams, re-committed to the Committee on Judiciary.

## REPORT OF THE COMMITTEE ON JUDICIARY (BY CONSENT).

House of Representatives,  
January 27, 1890.

*Mr. Speaker:*

Your Committee on Judiciary, to whom was referred C. F. No. 1, A Bill for an act to amend Section 14 of Chapter 6, Compiled Laws of Utah, herewith report the same back with an amendment, and recommend that after such amendment is adopted, the bill be put upon its passage.

Respectfully,  
HAMMOND, *Acting Chairman.*

On motion of Mr. Kimball, committee's report adopted. C. F. No. 1 read third time as amended and passed.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Johnson, Kimball, Lurd, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Williams, Wood.—19.

Noes—0.

Absent—Ferrin, Howell, Lowe, Thurman—4.

Title approved.

## MISCELLANEOUS BUSINESS.

The Speaker submitted report with accompanying docu-

ments of the Board of Trustees of the Agricultural College of Utah for the year ending Dec. 31st, 1889.

#### CONSIDERATION OF REPORT.

Report, with accompanying documents, referred without reading to the Committee on Agriculture and Irrigation, and sent to the Council for their information.

Mr. Pierce submitted claim of Jacob S. Boreman, School Commissioner for Utah Territory.

#### CONSIDERATION OF CLAIM.

On motion, referred, without reading to the Committee on Claims and Public Accounts.

On motion of Mr. Williams, House adjourned, at 3.20 p. m., until to-morrow, 2 p. m., January 28, 1890.

Benediction by the Chaplain.

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#### SIXTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Tuesday, January 28, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the fifteenth day read and approved.

On motion of Mr. Kimball, Mr. Williams was excused for the day.

On motion of Mr. Hammond, Mr. Howell was excused for the day and the day previous owing to his being blockaded by the snow.

#### PRESENTATION OF PETITIONS.

By Mr. Hammond—From Henry C. White, asking for

\$2,240 claimed to have been a loss sustained in boarding students in the Deaf Mute Institute.

Referred without reading to the Committee on Claims and Public Accounts.

By Mr. Thurman—Communication from Chief Justice Charles S. Zane and Associate Justices Henry P. Henderson, T. J. Anderson and John W. Blackburn, recommending the exchanging of Utah reports with States and other Territories.

Read and referred to the Committee on Territorial Library and forwarded to the Council for their information.

#### REPORTS OF STANDING COMMITTEES.

Legislative Hall,  
January 28, 1890.

*Mr. Speaker:*

The committee to whom was referred H. F. No. 11, A Bill to legalize instruments of writing now on record, etc., respectfully report that C. F. No. 4, a bill passed by the Council and referred to this committee fully accomplishes the purposes of said House bill. The committee therefore recommend that the House bill be rejected and that the Council bill be put on its passage.

THURMAN, *Chairman.*

On motion of Mr. Kimball, committee's report unanimously adopted.

H. F. No. 11, rejected.

C. F. No. 4 placed on file for second reading.

Legislative Hall,  
January 28, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 16, relating to the law of chattel mortgages, respectfully report a substitute therefor, and recommend that the original bill be rejected and that the substitute bill be put on its passage.

THURMAN, *Chairman.*

On motion of Mr. Thurman, committee's report adopted.

Substitute read, adopted, and placed on file for second reading.

## MAJORITY REPORT.

Legislative Hall,  
January 28, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 6, A Bill to amend Section 2158 of the Compiled Laws of 1888, relating to licensing the sale of intoxicating liquors, respectfully report that in the opinion of the majority of said committee, the legislation proposed by the bill is unwise and inexpedient. The committee therefore recommend that the bill be rejected.

THURMAN, *Chairman.*

## MINORITY REPORT.

Representatives Hall,  
January 28, 1890.

*Mr. Speaker:*

The undersigned members of the Judiciary Committee herewith submit a minority report upon H. F. No. 6, A Bill to amend Section 2158 of the Compiled Laws of Utah of 1888, in relation to licensing and regulating the manufacture and sale of intoxicating liquors. We are of the opinion that the manufacture and sale of intoxicating liquors in this Territory can be better regulated and controlled by an increase of the maximum limit that may be charged for a license for the manufacture or sale of the same; we therefore recommend that such feature of said bill be passed, and herewith report a substitute (after the enacting clause) for said bill covering said feature, and recommend that the same be adopted.

Respectfully,

HAMMOND,  
CREER,  
STEWART.

Mr. Kimball moved to adopt the majority report—rejected—Ayes, 9—Noes, 12—Absent, 2.

H. F. No. 6 filed for second reading.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 28, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendment to C. F. No. 1, and names as a Conference Committee thereon on the part of the Council Messrs. Barton and Bryan.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COUNCIL COMMUNICATION.

On motion of Mr. Hammond, a Conference Committee was granted.

The Speaker appointed Messrs. Hammond and Pierce on part of the House.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 28, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted C. M. No. 1. and the same is herewith forwarded for your action.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

C. M. No. 1, A Memorial to Congress asking no change to be made in the reservation of the Southern Ute Indians of Colorado such as shall involve their transfer to the Territory of Utah.

## CONSIDERATION OF MEMORIAL.

Read, and, on motion of Mr. Hammond, referred to the Committee on Memorials to Congress.



## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 27th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day considered report of the Board of Trustees of the Agricultural College of Utah, has referred the same (by copy) to Committee on University and Agricultural College, and the original is herewith returned to the House.

Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## REPORT OF THE COMMITTEE ON RULES.

House of Representatives,  
January 28, 1890.

*Mr. Speaker:*

Your Committee on Rules, to whom was referred the motion of Mr. Kimball to amend Rule 31, of "Rules of the House," beg leave to return the same with the recommendation that the same be adopted.

REID, *Chairman.*

On motion of Mr. Pierce, the committee's report adopted.

## CONSIDERATION OF AMENDMENT TO RULE 31 OF THE HOUSE OF REPRESENTATIVES.

Read, and on motion was recommitted to the Committee on Rules.

On motion of Mr. Pierce, rules suspended, and C. F. No. 4, A Bill to validate and make admissible in evidence certain deeds, conveyances, mortgages, powers of attorney and other instruments affecting title to real estate heretofore recorded in or upon the records of the office of the county recorders of the several counties of this Territory, wherein the same are defectively executed, attested, acknowledged,

certified, recorded or certified of record, except as against subsequent purchasers, incumbrances and assignees.

Read second time by sections and amended.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Johnson; Lowe, Lund, Kimball, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Wood, Smith.—21.

Noes—0.

Absent—Howell, Williams—2.

Title read and approved.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 28, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day considered the communication from the Supreme Court of Utah Territory, and herewith returns the same to you with thanks for your courtesies.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
January 28, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 17, and the same is herewith enclosed for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. No. 17.

A Bill amending Section 1906 of Chapter 5, Part 3, Vol. 1, Compiled Laws of Utah, entitled "An act to establish a Territorial Reform School."

Read first time and referred to the Committee on Penitentiary and Reform School.

## REPORT OF STANDING COMMITTEE.

Committee Room,  
January 28, 1890.

*Mr. Speaker:*

Your Committee on Enrollment, to whom was referred H. F. No. 22, "A Bill to provide for the payment of the contingent expenses of the twenty-ninth session of the Legislative Assembly of the Territory of Utah," have to report that said bill has been correctly enrolled, duly signed by the Speaker and President, and was, at 2:40 p. m. of this day, forwarded to the Governor for executive action thereon.

Respectfully,

BENNION, *Chairman.*

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Bennion—H. F. No. 28, A Bill to prevent snow blockades on public highways.

Read the first time by its title and referred to the Committee on Highways.

By Mr. Reid—H. F. No. 29, A Bill for An Act to prohibit the herding of sheep in the neighborhood of cities, towns and villages.

Read first time by its title and referred to the Committee on Live Stock.

By Mr. Pierce—H. F. No. 30, A Bill providing that the term "heirs" or other words of inheritance shall not be necessary to create or convey estates in fee simple.

Read first time by its title and referred to the Committee on Judiciary.

## SECOND READING OF BILLS.

H. F. No. 6, A Bill for an act to amend Section 2158 of the Compiled Laws of Utah of 1888.

Read second time by sections.

Mr. Hammond moved that the bill be amended by adopting the substitute presented by the minority of the Committee on Judiciary.

Adopted—Ayes, 13; noes, 8; absent, 2.

H. F. No. 6, read second time and placed on the general file for third reading.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 28, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council this day returns report of Capitol Grounds Commission with thanks for your courtesy.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
January 28, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments to C. F. No. 4, and names Councilors Hall and Richards as a Committee of Conference thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF THE COUNCIL COMMUNICATION.

The Speaker named Messrs. Pierce and Thurman as a Committee of Conference on House amendments to C. F. No. 4.

## SECOND READING OF BILLS (CONTINUED).

H. F. No. 16, read second time, and placed upon the general file for third reading.

On motion of Mr. Kimball, House adjourned, at 4.35 p. m., until to-morrow, 2 p. m., January 29th, 1890.

Benediction by the Chaplain.

## SEVENTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Wednesday, January 29th, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the sixteenth day read and approved.

## MISCELLANEOUS BUSINESS.

Communication from the Governor:

Executive Office,  
Salt Lake City, Utah,  
January 28, 1890,

*To the Legislative Assembly:*

Gentlemen—I have the honor to transmit herewith the report of the Chancellor of the University of Deseret for the years 1888 and 1889.

I am, very respectfully,  
ARTHUR L. THOMAS,  
Governor.

## CONSIDERATION OF CHANCELLOR'S REPORT.

Referred without reading to the Committee on Education and sent to the Council for their information.

## COMMUNICATIONS FROM THE CHAMBER OF COMMERCE..

Salt Lake City, Utah,  
January 25, 1890.

Dear Sir—At an adjourned meeting of Salt Lake Chamber of Commerce and other citizens, held in the Chamber, Salt Lake, Thursday, 8 p. m., Jan. 23d inst., it was voted that the Chamber of Commerce meeting request the Legislature to memorialize Congress to extend the limit of



municipal indebtedness, in the case of the cities of Utah, from four to ten per cent. on assessed valuation, for the purpose of securing those primary and indispensable necessities in Utah, namely, a sufficient supply of water and the improvement of the streets.

I hereby respectfully communicate this action to the honorable body over which you preside through you.

Very respectfully,

O. J. HOLLISTER,

*Secretary Chamber of Commerce.*

*Hon. James Sharp, Speaker Lower House, Legislative Assembly of Utah, City.*

#### CONSIDERATION OF COMMUNICATION.

Read and referred to the Committee on Municipal Corporations and towns.

Salt Lake City, Utah,

January 25, 1890.

Dear Sir—At an adjourned meeting of Salt Lake Chamber of Commerce and citizens, held in the Chamber of Commerce, Salt Lake City, Thursday, January 23d inst., it was voted after discussion as the sense of the meeting that the existing restriction upon corporations with reference to purchase and sale of real estate for profit is unwise and ought to be repealed. As secretary of said meeting, I beg through you to inform the House of Representatives of the Legislative Assembly of Utah of this action of Salt Lake Chamber of Commerce and citizens.

Yours respectfully,

O. J. HOLLISTER,

*Secretary Salt Lake Chamber of Commerce.*

*Hon. James Sharp, Speaker House of Representatives, Legislative Assembly of Utah, City.*

#### CONSIDERATION OF COMMUNICATION.

Read and referred to the Committee on Private Corporations.

Salt Lake, Utah,

January 25, 1890.

Dear Sir—At a meeting of Salt Lake Chamber of Commerce and citizens, held in Chamber of Commerce, Salt Lake,

Utah, Thursday, Jan. 23rd inst., at 8 o'clock p.m., it was voted after discussion that the Legislature be requested to memorialize Congress for an appropriation of \$1,000,000 for a government building in this city.

As secretary of said meeting, I beg through you to inform the honorable body over which you preside, of this action of Salt Lake Chamber of Commerce and citizens.

Yours respectfully,

O. J. HOLLISTER,

*Secretary Salt Lake Chamber of Commerce.*

*Hon. James Sharp, Speaker House of Representatives  
Legislative Assembly, Utah, City.*

#### CONSIDERATION OF COMMUNICATION.

Read and referred to the Committee on Memorials to Congress.

On motion of Mr. Hammond, Mr. Smith was excused until Monday, February 3, 1890.

#### COMMUNICATION FROM THE GOVERNOR.

Governor Thomas presents his compliments and would be pleased to receive the members and officers of the Legislative Assembly on Tuesday evening next, at 8 o'clock, at the Executive Office.

#### CONSIDERATION OF GOVERNOR'S COMMUNICATION.

On motion of Mr. Ferry, invitation accepted.

#### PRESENTATION OF PETITIONS.

By Mr. Wood—From the citizens of Winter Quarters precinct of Sanpete County, Utah, asking to be attached to Emery County.

Read and referred to the Committee on Counties.

#### COMMUNICATION FROM THE GOVERNOR.

Executive Office,

Salt Lake City, Utah,

January 29, 1890.

*Hon. James Sharp, Speaker of the House, Salt Lake City,  
Utah:*

Sir—I have this day approved and filed with the Secretary of the Territory, H. F. No. 22, entitled "An Act to pro-

vide for the payment of the contingent expenses of the Twenty-ninth Session of the Legislative Assembly of the Territory of Utah."

I am, sir, very respectfully,  
ARTHUR L. THOMAS, *Governor*.

Council notified of the Governor's action.

#### REPORTS OF STANDING COMMITTEES

House of Representatives,  
Salt Lake City, Utah.  
January 29, 1890.

Your Committee on Memorials to Congress, to which was referred Council Memorial No. 1, "A protest against the removal of the Southern Utes to Utah," reports that it has considered the same and recommends that the same be adopted at once.

PIERCE, *Chairman*.

#### CONSIDERATION OF THE COMMITTEE'S REPORT.

On motion of Mr. Porter, adopted.

On motion Mr. Thurman, memorial adopted unanimously.

Committee Room,  
January 29, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, having considered the claim of Geo. D. Barnard & Co., for two metal document file cabinets, with combination locks, for the use of the Third Judicial District Court of the Territory of Utah, amounting to \$475.00, and the claim of H. G. McMillan, clerk of said court, for amount paid for freight and drayage on the same amounting to \$42.38, recommend that the said amounts be allowed, and that they be placed in the general appropriation bill.

CREER, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

On motion of Mr. Thurman, adopted and bill referred with instructions to the Committee on General Appropriations.

Committee Room,  
January 22, 1890.

*Mr. Speaker:*

Your Committee on Live Stock, to whom was referred H. F. No. 10, "A Bill amending Section 2205, and repealing Sections 2203, 2204, 2206, 2209 and 2213, of the Compiled Laws of Utah, 1888, in relation to slaughtering, branding and disposing of Live Stock," have carefully considered the same, and respectfully report the accompanying bill as a substitute, and recommend that it be put upon its passage.

JOHNSON, *Chairman.*

CONSIDERATION OF COMMITTEE'S REPORT.

On motion, committee's report adopted.

CONSIDERATION OF SUBSTITUTE TO H. F. NO. 10.

On motion of Mr. Thurman substitute adopted.

H. F. No. 10, ordered printed, and placed on file for second reading.

Legislative Hall,  
January 29, 1890.

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred H. F. No. 27, A Bill to amend Section 2825, Compiled Laws of Utah, 1888, relating to the townsite act, respectfully recommend that said bill be put on its passage.

THURMAN, *Chairman.*

On motion, report adopted.

CONSIDERATION OF H. F. No. 27

Ordered printed, and filed for second reading.

THIRD READING OF BILLS.

H. F. No. 6, A Bill to amend Section 2158 of the Compiled Laws of Utah of 1888.

Pending third reading, recommitted to the Committee on Judiciary.

H. F. No. 16, A Bill for an act to amend Sections 2802, 2803, 2805 and 2807, Compiled Laws of Utah, 1888.



Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Kimball—1.

Title read, amended and approved.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 29, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 18, and the same is herewith forwarded for your action.

Very Respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. No. 18.

A Bill amending Section 1835, Chapter 1, Part 3, Vol. 1, Compiled Laws of Utah, entitled "University."

Read the first time by its title and referred to the Committee on Education.

MISCELLANEOUS BUSINESS.

By Mr. Sargent—H. M. No. 2, asking for an act enabling the Territory of Utah to lease for the benefit of the public schools Section 16 and 36 of each township in said Territory.

Read and referred to the Committee on Memorials to Congress.

By Mr. Thurman—Claim of Thomas Fowler, Sheriff of Utah County, for attendance at First District Court, \$660.

Read and referred to the Committee on Claims and Public Accounts.



## REPORT OF COMMITTEE OF CONFERENCE.

Committee Room,  
January 29, 1890.

*Mr. Speaker:*

Your Committee of Conference, to which was referred C. F. No. 4, "A Bill to validate and make admissible in evidence certain deeds, etc.," have agreed to recommend an amendment to the amendment adopted by the House, by allowing the bill to stand as it was before amended with the exception of changing the word "and" the seventh word in line nine to "or."

Respectfully,  
PIERCE, *Chairman.*

## CONSIDERATION OF COMMITTEE'S REPORT,

On motion of Mr. Thurman, report adopted.

## CONSIDERATION OF C. F. NO. 4.

A Bill to validate and make admissible in evidence certain deeds, etc.

Read third time, amended as agreed upon by the Conference Committee, and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes,—0.

Absent—Kimball—1.

## REPORT OF COMMITTEE ON ENROLLMENT.

Committee Room,  
January 29, 1890.

*Mr. Speaker:*

Your Committee on Enrollment beg leave to report that Memorial to Congress No. 1, relative to creating a Fourth Judicial District has been duly enrolled, signed by the President and Speaker, and was, at 2.30 p. m. this day, forwarded to the Governor for executive action thereon.

Respectfully,  
BENNION, *Chairman.*

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 29, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 5, and the same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. NO. 5.

A Bill for an act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association.

Read first time by its title and referred to the Committee on Private Corporations.

On motion of Mr. Creer, House adjourned, at 3:45 p.m., until 2 p. m., tomorrow, January 30th, 1890.

Benediction by the Chaplain.

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EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
January 30, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called — quorum present.

Prayer by the Chaplain.

Journal of the seventeenth day read and approved.

## COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, January 29, 1890.

*Hon. James Sharp, Speaker of the House, Salt Lake City, Utah:*

Sir.—I have signed and filed with the Secretary of the Territory, the memorial to the Congress of the United States in relation to the Fourth Judicial District for Utah Territory. Certified copies will be prepared and transmitted to the Senate and House of Representatives.

I am, sir, very respectfully,

ARTHUR L. THOMAS, *Governor.*

Council advised of the Governor's action.

## REPORTS OF STANDING COMMITTEES.

Report offered by the Committee on Highways relating to H. F. No. 17 and H. F. No. 28. Recommitted with instructions to report on each bill separately.

Committee Room,  
January 30, 1890.

*Mr. Speaker:*

Your Committee on Ways and Means, to whom was referred H. F. No. 12, A Bill to provide for the assessing and collecting of taxes on transitory herds, have duly considered the same, and recommend that it be put upon its passage.

Respectfully submitted,  
A. L. WILLIAMS, *Chairman.*

## CONSIDERATION OF COMMITTEE'S REPORT.

On motion, Mr. Robison, Committee's report adopted, and H. F. No. 12 placed on file for second reading.

House of Representatives,  
January 30, 1890.

*Mr. Speaker:*

Your Committee on Ways and Means, to whom was

referred H. F. No. 13, A Bill authorizing the several county recorders of the counties of Utah to furnish abstracts of mortgages to the assessors of the counties in which the mortgagee resides, herewith report the same back with two amendments, and recommend that with such amendments said bill be passed.

Respectfully,  
A. L. WILLIAMS, *Chairman.*

#### CONSIDERATION OF COMMITTEE'S REPORT.

On motion, report adopted.

On motion, the amendments recommended by the Committee were also adopted.

H. F. No. 13, placed on file for second reading.

Committee Room,  
January 29, 1890.

*Mr. Speaker:*

Your Committee on Highways, to whom was referred H. F. No. 17, "A Bill to amend Section 2084 of the Compiled Laws of 1888," respectfully report that after careful consideration of the same, they recommend that it be placed upon its passage.

Respectfully,  
MELVILLE, *Chairman.*

#### CONSIDERATION OF COMMITTEE'S REPORT.

On motion, Committee's report adopted, and H. F. No. 17 placed on file for second reading.

House of Representatives,  
January 30, 1890.

*Mr. Speaker.*

Your Committee on Private Corporations, to whom was referred C. F. No. 5, A Bill to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association, herewith report the same back and recommend that the same be passed.

Respectfully,  
HAMMOND, *Chairman.*



## CONSIDERATION OF COMMITTEE'S REPORT.

On motion of Mr. Howell, report adopted, and C. F. No. 5 placed on file for second reading.

## COMMUNICATION FROM COUNCIL.

Utah Legislature,  
Council Chamber,  
January 29, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted the accompanying report of its Committee on Ways and Means, and same—with explanatory documents—is forwarded for your information.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COUNCIL COMMUNICATION.

Council committee's report having reference to a letter from the County Clerk of Emery County, as also an accompanying letter of the Territorial Auditor relating to the alleged illegal action of the Territorial Board of Equalization of Taxes in ordering an increase in the assessed values of railroad property in Emery County.

Read and, with accompanying letters, referred to the Committee on Ways and Means.

Legislative Hall,  
January 30, 1890.

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred H. F. No. 14, to amend Section 5381 of the Compiled Laws, 1888, relating to appeals from justices' courts in criminal cases, respectfully report and recommend that said bill be put on its passage.

THURMAN, *Chairman.*

## CONSIDERATION OF COMMITTEE'S REPORT.

On motion of Mr. Creer, report adopted.



H. F. No. 14 placed on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Russell—H. F. No. 31, A bill for the better regulation of transitory herds and for other purposes.

Read first time by its title and referred to the Committee on Highways.

By Mr. Williams—H. F. No. 32, An Act to prevent the waste of artesian water.

Read the first time by its title, and referred to the Committee on Agriculture and Irrigation.

By Mr. Lund—H. F. No. 33, A Bill to amend Sections 2160, 2161 and 2169, Chapter 17 of the Compiled Laws of Utah, relating to the sale of intoxicating liquors.

Read the first time and referred to the Committee on Judiciary.

SECOND READING OF BILLS.

H. F. No. 27.

Read second time and amended.

On motion of Mr. Thurman, rules suspended—ayes, 18; noes, 0; absent, 5.

H. F. No. 27, A Bill amending Section 2825, Compiled Laws of Utah, 1888, Vol. 2, in relation to the disbursement of certain moneys from city and county treasuries.

Read third time, amended and passed.

Ayes — Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—0.

Absent—Ferrin, Kimball, Smith—3.

Title read, amended and approved.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 30, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day adopted C. C. R. No. 7, and the same is herewith forwarded for your action.

Respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Council Chamber,  
Salt Lake City,  
January, 30, 1890.

C. C. R. No 7.

*Whereas*, The Committee of the Council on Ways and Means, by its report made and adopted on January 29, 1890, recommended that Emery County should pay into the Territorial Treasury, on account of Territorial and Territorial school taxes, the sum of \$1903.

*Therefore Resolved*, By the Council, the House concurring, that the Territorial Auditor is hereby instructed to proceed at once to collect the same and pay said sum into the Territorial Treasury, and may take such measures as may be necessary to accomplish the same.

CONSIDERATION OF C. C. R. NO. 7.

Read and referred to the Committee on Ways and Means.

SECOND READING OF BILLS (CONTINUED.)

H. F. No. 12.

Read second time by sections, amended, and placed on the general file for third reading.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 30th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 15, and the same is herewith forwarded for your action.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## HOUSE JOURNAL.

Consideration of C. F. No. 15, A Bill authorizing probate courts to grant orders in certain cases without publication of notice.

Read first time by its title and referred to the Committee on Judiciary.

### SECOND READING OF BILLS (CONTINUED.)

H. F. No. 13.

Read second time, amended and placed on the general file for third reading.

### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 30th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 2, and the same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

### CONSIDERATION OF C. F. NO. 2.

A Bill requiring railroad companies and train dispatchers to make public the time of departure of trains.

Read first time by its title and referred to the Committee on Private Corporations.

### SECOND READING OF BILLS (CONTINUED.)

H. F. No. 17, A Bill to amend Section 2084 of the Compiled Laws of Utah, 1888.

Read second time and amended.

On motion of Mr. Thurman, rules suspended—ayes, 18; noes, 0; absent, 5.

Read third time, amended, and passed.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Thurman, Williams, Wood, Stewart—20.

Noes—0.

Absent—Ferrin, Kimball, Smith—3.

Title read, amended and approved.

H. F. No. 14.

Read second time, and placed on the general file for third reading.

COMMUNICATION FROM THE COUNCIL. \*

Utah Legislature,  
Council Chamber,  
January 30, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 19, and the same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO. 19.

A Bill amending Section 164 of Compiled Laws of Utah, 1888, etc.

Read first time and referred to the Committee on Judiciary.

MISCELLANEOUS BUSINESS.

By Mr. Allen:

*Resolved*, That the Committee on Militia be instructed to prepare and report to this House a bill authorizing the organization of militia companies in the Territory of Utah.

CONSIDERATION OF RESOLUTION.

On motion of Mr. Hammond, referred to the Committee on Militia.

On motion of Mr. Allen, House adjourned, at 4:20 p.m., until 2 p. m. to-morrow, January 31st, 1890.

Benediction by the Chaplain.

## NINETEENTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Friday January 31, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the eighteenth day read and approved.

## REPORT OF STANDING COMMITTEES.

Legislative Hall,  
January 31, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No 9, amending Section 5443 Compiled Laws of Utah, relating to fees of sheriffs, respectfully report that in the judgment of the committee, the legislation proposed by the bill is unwise and inexpedient.

Under existing laws the sheriff of each county in the Territory of Utah is jailor thereof, and has the custody of criminals committed, whether said criminals are serving sentences for misdemeanor or awaiting trial or indictment. In counties where the district courts are held, the office of sheriff is of great utility and importance. During the terms of court his presence at the jail at least in person or by deputy is indispensable. He is of necessity compelled to be present, ready to receive and deliver prisoners at any and all hours of the day during the transaction of criminal business in court, whether he is paid by the Territory or not. If his presence is necessary at the jail for the purposes above mentioned it is certainly right and proper that he should be paid a per diem. It is also right and proper in the judgment of the committee that he should be paid by the Territory inasmuch as the business is Territorial criminal business. If in addition to the performance of his duties as jailor his services can be made available in and about the court, we believe the advantage accruing to



the Territory thereby, will fully justify the payment of the compensation now provided by law. If the sheriff in all cases could and would appoint the U. S. marshal attending court his deputy and turn the jail and prisoners over to him, and such appointment would be accepted without compensation or charge, the object aimed at in the bill might be accomplished, or if the marshal was made jailor and custodian of prisoners during the term of court without compensation the object might be accomplished, but the committee do not recommend such legislation, in fact, believe it would be equally unwise and inexpedient. Therefore, so long as the sheriff must of necessity be in attendance at the jail constantly, for the purpose of receiving and delivering prisoners, the committee are of the opinion that the provision of the law that authorizes the court to require his attendance upon the court is wise and proper, notwithstanding it is made a charge against the Territory. The committee respectfully recommend that the bill be rejected.

THURMAN, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and on motion adopted.

C. F. No. 9 read and rejected in accordance with the committee's recommendation.

Legislative Hall,  
January 31, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No. 19, amending Section 164, Article 6, Chapter 5, Part 2, Vol. 1, Compiled Laws, relating to county and precinct officers, recommend that the bill be put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

On motion, accepted.

C. F. No. 19 placed on file for second reading.

Legislative Hall,  
January 31, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 24, A Bill to prevent and forbid preferences in assignments made by debtors in trust for the benefits of

creditors, respectfully report the same back with amendments, and recommend that the bill as amended be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF COMMITTEE'S REPORT.

On motion, adopted.

H. F. No. 24 read, amended as advised by the committee, filed for second reading and ordered printed.

Committee Room,  
House of Representatives,  
January 31, 1890.

*Mr. Speaker:*

Your Committee on Penitentiary and Reform School, to whom was referred C. F. No. 17, A Bill for an act amending Section 1906, of Chapter 5, Part third, Volume 1 of the Compiled Laws of Utah, 1888, entitled "An Act to establish a Territorial Reform School," respectfully report that they have considered, and herewith report the same back with a recommendation that it be passed.

JAS. N. KIMBALL, *Chairman*.

Report adopted.

CONSIDERATION OF C. F. No. 17.

Placed on file for second reading.

Committee Room,  
January 31, 1890.

*Mr. Speaker;*

Your Committee to whom was referred H. F. No. 28, "A Bill to prevent snow blockades on public highways," respectfully report that after careful consideration of the same, recommend that it be rejected.

Respectfully,  
MELVILLE, *Chairman*.

Adopted.

CONSIDERATION OF H. F. No. 28.

Read and on motion rejected.

Committee Room,  
January 31, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts have considered the claim of Jacob S. Boreman, Commissioner of Schools for Utah Territory, amounting to \$155.00 as per bill of the Commercial Publishing Co. for blanks for school and trustees' reports and letter heads, envelopes, certificates, etc., and a bill of \$16.00 for postage stamps, blank books, wrapping paper, etc., recommend that the said amounts be allowed, and that the same be placed in the general appropriation bill.

Respectfully,  
CREER, *Chairman.*

#### CONSIDERATION OF COMMITTEE'S REPORT.

Adopted.

Claim referred to the Committee on Appropriations with instructions.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Porter—H. F. No. 34, A Bill for an act to amend Section 2009 of the Compiled Laws of Utah, 1888.

Read first time by its title and referred to the Committee on Ways and Means.

By Mr. Pierce—H. F. No. 35, A bill to provide for the incorporation and management of trusts and guaranty associations.

Read first time by its title and referred to the committee on Private Corporations.

#### SECOND READING OF BILLS.

H. F. No. 10, read second time, amended and placed on general file for third reading.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 31, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day received a communication from His Excellency the Governor, notifying the Council that he has signed and filed with the Secretary of the Territory C. M. No. 1. He also notifies the Council that certified copies will be prepared and transmitted to the Senate and House of Representatives.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
January 31, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed with amendments H. F. No. 17, and the same is returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF H. F. No. 17.

Read, and, on motion, all of Council amendments not concurred in.

Mr. Hammond moved for Committee of Conference. Carried.

The Speaker named Messrs. Hammond and Melville as said committee.

#### SECOND READING OF BILLS (CONTINUED).

C. F. No. 5, pending second reading, made special order for Monday.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
January 30, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the



Council herewith returns the report of the Chancellor of the University of Deseret, with thanks for your courtesy.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### SECOND READING OF BILLS (CONTINUED).

C. F. No. 19. A bill to amend Section 164 of the Compiled Laws of Utah of 1888, relating to precinct officers.

Read second time.

Rules suspended—Ayes, 18; absent, 5.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Thurman, Williams, Wood, Stewart—22.

Noes—0.

Absent—Smith—1.

Title read, amended and approved.

C. F. No. 17. Read second time and placed on the general file for third reading.

#### THIRD READING OF BILLS.

H. F. No. 12. Pending third reading, laid over for the day.

H. F. No. 13. Pending third reading, referred to the Committee on Judiciary.

H. F. No. 14, A bill to amend Section 5381 of the Compiled Laws of Utah, 1888, relating to appeals to the district courts in criminal cases.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Thurman, Williams, Wood, Stewart—22.

Noes—0.

Absent—Smith—1.

Title read, amended and approved.

#### MISCELLANEOUS BUSINESS.

Messrs. Porter and Ferry, on motion, were excused until Tuesday, Feb. 4.



Mr. Allen moved that when the House adjourn it be until Monday, at 2 p. m., February 3d, 1890. Carried.

By Mr. Robison, claim of Jesse Baldwin for attendance as jailor, etc., for the Second Judicial District Court for the years 1888 and 1889.

Referred without reading to the Committee on Claims and Public Accounts.

On motion of Mr. Thurman, the House adjourned, at 4:30 p. m., until Monday, February 3, 1890.

Benediction by the Chaplain.

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## TWENTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Monday, February 3, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the Chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the nineteenth day read and approved.

### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 3, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day granted request for a Conference Committee on amendments to H. F. No. 17, and names Councilors Collett and Booth as conferees on the part of the Council.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## COMMUNICATION FROM THE TERRITORIAL AUDITOR.

Territory of Utah,  
Auditor's office,  
Salt Lake City, Feb. 3, 1890

*Hon. James Sharp, Speaker, and Members of the Assembly:*

Gentlemen.—I have the honor to present to your honorable body bills left with me for that purpose. The bill for jurors' and witnesses' certificates, etc., was ordered by myself for use of Court Commissioners and I respectfully ask its payment. The other bills I know nothing about.

Very respectfully,  
N. W. CLAYTON,  
*Territorial Auditor.*

CONSIDERATION OF BILLS NAMED IN AUDITOR'S  
COMMUNICATION.

Claim of the Deseret News Co., for printing \$32.25.

Claim of Kelly & Co., for books and stationery, \$275.

Claim of Geo. D. Barnard & Co.. for blank books, etc., \$59.25.

Read and referred to the Committee on Claims and Public Accounts.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Robison—H. F. No. 36, A Bill to encourage the planting of forest trees in the Territory of Utah.

Read first time by its title and referred to the Committee on Agriculture and Irrigation.

By Mr. Pierce—H. F. No. 37, A Bill to regulate the practice of medicine.

Read first time by its title and referred to the Committee on Judiciary.

## SPECIAL ORDER OF THE DAY.

C. F. No. 5. Read second time by sections, amended and placed on the general file for third reading.

## SECOND READING OF BILLS.

H. F. No. 24. Read second time by sections and placed on the general file for third reading.

## THIRD READING OF BILLS.

H. F. No. 12. Pending third reading, laid over for the day.

H. F. No. 10, A Bill amending section 2202, and repealing sections, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2211, and 2212 of the Compiled Laws of Utah of 1888, relating to branding and herding cattle, etc.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lund, Melville, Pierce, Russell, Robison, Smith, Sargent, Williams, Wood—17.

Noes—Thurman, Stewart—2.

Absent—Ferry, Lowe, Porter, Reid—4.

Title read, amended and approved.

C. F. No. 17, A Bill amending Section 1906, Compiled Laws of Utah of 1888, entitled "Relating to the establishing of a Territorial Reform School."

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Pierce, Russell, Robison, Smith, Sargent, Thurman, Williams, Wood, Stewart—20.

Noes—0.

Absent—Ferry, Porter, Reid—3.

Title read, amended and approved.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,

*Mr. Speaker :*

February 3, 1890.

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 19, and the same is referred to Council Committee on Enrollment.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
February 3, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that Council has this day passed C. F. No. 14, and the same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk*

CONSIDERATION OF C. F. No. 14.

A Bill prohibiting railroad companies from issuing, and public officers from receiving, passes or free transportation.

Read the first time and referred to the Committee on Private Corporations.

On motion of Mr. Allen, House adjourned, at 4.15 p. m., until 2 p. m., Tuesday, February 4th, 1890.

Benediction by the Chaplain.

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TWENTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Tuesday, February 4th, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the twenty-second day read and approved.

PRESENTATION OF PETITIONS.

By Mr. Creer—From George A. Hicks and 16 other residents of Utah and Sanpete Counties, relating to the trespassing of sheep, accompanied with draft of a bill for an act relating to trespassing.

Petition read and referred with accompanying documents to the Committee on Live Stock.

REPORTS OF STANDING COMMITTEES.

House of Representatives,  
Salt Lake City,  
February 4th, 1890.

*Mr. Speaker:*

Your Committee on Manufactures and Commerce, to whom was referred H. F. No. 21, A Bill to provide for the encouragement of the manufacture of sugar and paying a bounty therefor, respectfully report that we have considered the same and recommend that the bill do pass.

Respectfully,  
W. H. SMITH, *Chairman.*

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 21 placed on file for second reading.

Committee Room,  
February 4th, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claims of Gilbert R. Belnap, Thomas Fowler and Jesse Baldwin, Sheriffs of Weber, Utah and Beaver counties respectively, have duly considered the same. We find that Gilbert R. Belnap, upon the order of the District Judge, has rendered 330 days' service, amounting to \$990.00, for the years 1888 and 1889; Thomas Fowler, 220 days, amounting to \$660.00, and Jesse Baldwin, 141 days, amounting to \$423.00. Your committee recommend that the respective amounts be allowed, and that they be placed in the general appropriation bill.

Respectfully,  
CREER, *Chairman.*

CONSIDERATION OF COMMITTEE'S REPORT.

Read, adopted, and, with documents mentioned, referred to the Committee on Appropriations, with instructions.



Legislative Hall,  
February 4th, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 20, A Bill to amend Sections 4455, 4457, 4461, 4462, 4622, 4631, 4677, and to repeal Sec. 4469, of the Compiled Laws of Utah of 1888, relative to the Penal Code, respectfully report thereon and recommend that the bill be put on its passage.

THURMAN, *Chairman.*

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 20 placed on file for second reading.

#### SECOND READING OF BILLS.

H. F. No. 21, read second time by sections and placed on general file for third reading.

H. F. No. 20, read second time by sections, and placed on general file for third reading.

#### THIRD READING OF BILLS.

H. F. No. 12, pending third reading, on motion recommended to the Committee on Ways and Means.

C. F. No. 5, A Bill to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Wood—20.

Noes—0.

Absent—Thurman, Williams, Ferry—3.

Title read, amended and approved.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 4, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day concurred in House amendments to C. F. No. 17, and has passed the same as amended. C. F. No. 17 is sent to Council Committee on Enrollment.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### THIRD READING OF BILLS (CONTINUED).

H. F. No. 24, pending third reading, laid over for the day.

On motion of Mr. Thurman, House adjourned, at 3.50 p. m., until Wednesday, February 5, 1890.

Benediction by the Chaplain.

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#### TWENTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Wednesday, February 5, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called - quorum present.

Prayer by the Chaplain.

Journal of the twenty-third day read and approved.

On motion, Mr. Ferry was excused for his absence Tuesday, and for the present on account of sickness.

#### PRESENTATION OF PETITIONS.

By Mr. Johnson—From Mr. Ashton and 95 other residents of Uintah County, Utah, asking a modification in the law pertaining to the removal of county seats.

#### CONSIDERATION OF PETITION.

Read and referred to the Committee on Counties.

## REPORTS OF STANDING COMMITTEES.

## MAJORITY REPORT.

Representative Hall,  
February 5, 1890.

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred C. F. No. 15, relating to granting orders in certain cases without notice, respectfully report that said committee have considered the same, and herewith return a substitute therefor, and recommend that the original bill be rejected, and that the substitute be put on its passage.

THURMAN, *Chairman.*

## MINORITY REPORT.

House of Representatives,  
February 5, 1890.

*Mr. Speaker:*

The undersigned members of the Judiciary Committee, submit a minority report on C. F. No. 15, as follows: We are of the opinion that said bill and substitute should be rejected because it removes one of the safeguards thrown around decedent estates, and one of the protections to minors.

PIERCE,  
KIMBALL.

## CONSIDERATION OF C. F. NO. 15.

Read, as was also the substitute offered by majority of Judiciary Committee. Report of majority adopted.

On motion, C. F. No. 15, rejected.

Substitute for C. F. No. 15, offered by committee adopted, filed for second reading and ordered printed.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 5th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day received a communication from His Excellency the Governor, and the same is herewith forwarded for your information.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Executive Office,  
Salt Lake City, Utah,  
February 3, 1890.

*Hon. F. S. Richards, President of the Council, Salt Lake City, Utah:*

Sir—I have approved and filed in the office of the Secretary of the Territory, C. F. No. 4, entitled "An Act to validate and make admissible in evidence certain deeds, conveyances, mortgages, powers of attorney, and other instruments affecting title to real estate heretofore recorded in or upon the records of the office of the county recorders of the several counties of this Territory, wherein the same are defectively executed, attested, acknowledged, certified, recorded, or certified of record, except as against subsequent purchasers, encumbrancers and assignees."

I am, very respectfully,  
ARTHUR L. THOMAS, *Governor.*

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 5, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted the report of the Conference Committee on H. F. No. 17, and has passed the same.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### REPORT OF CONFERENCE COMMITTEE.

House of Representatives,  
February 5, 1890.

*Mr. Speaker:*

Your Committee on Conference, to whom was referred

the disagreement between the two Houses upon certain Council amendments to H. F. No. 17, A Bill to amend Section 2084 of the Compiled Laws of Utah of 1888, relating to highways, beg leave to report that said committee has met and conferred upon said matter, and after due deliberation recommend that the Council recede from said amendments.

Respectfully,

HAMMOND,  
MELVILLE,  
BOOTH,  
COLLETT,

*Members of said Committee.*

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT.

Report adopted and H. F. No. 17 passed as noted.

Ayes — Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood — 21.

Noes — 0.

Absent — Ferry, Reid — 2.

Committee Room,

February 5, 1890.

*Mr. Speaker:*

Your Committee on Education, to whom was referred House File No. 1, "A Bill to establish a free public school system in certain cities of the Territory of Utah," report that they have duly considered the same and report it back to the House with certain amendments herewith presented. And the committee recommend that the amendments be adopted, and that the bill be put upon its passage.

ALLEN, *Chairman.*

#### CONSIDERATION OF THE COMMITTEE'S REPORT.

Report adopted.

H. F. No. 1 amended as recommended by the committee, and placed on file for second reading, pending which, ordered printed.

Representative Hall,

February 5, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred



H. F. No. 13, authorizing the several county recorders of Utah Territory, to furnish abstracts of mortgages, etc., respectfully recommend that said bill be amended by striking out the word "fifty," in line one of Section 2 and inserting in lieu thereof the words "twenty-five," and that the bill, as amended, be put on its passage.

THURMAN, *Chairman.*

#### CONSIDERATION OF COMMITTEE'S REPORT.

Adopted, and, on motion, amendments recommended by the committee adopted and H. F. No. 13 placed on the general file for third reading.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 5, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that Council has this day passed H. F. No. 16, with amendments and the same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF H. F. No. 16.

Read, and, on motion of Mr. Hammond, Council amendments concurred in.

H. F. No. 16 passed as amended by the Council.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes—0.

Absent—Ferry, Reid—2.

Committee Room,  
February 5, 1890.

*Mr. Speaker:*

Your Committee on Live Stock, to whom was referred H. F. No. 29, "A Bill for an act to prohibit the herding of

sheep in the neighborhood of cities, towns and villages," most respectfully report that they have had the same under consideration, and while we think the main features of the bill are quite desirable, we think it would be unwise, perhaps unlawful, to make a law upon the subject, and therefore recommend that the bill be rejected.

JOHNSON, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Report, with H. F. No. 29, laid over for the day.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Kimball—H. F. No. 38, A Bill to regulate the practice of dentistry.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Stewart—H. F. No. 39, A Bill relating to the protection of stock-raisers.

Read first time by its title and referred to the Committee on Live Stock.

#### THIRD READING OF BILLS.

H. F. No. 24, A Bill to prevent and forbid preferences in assignments, etc.

Read third time and rejected.

Ayes—Creer, Ferrin, Hammond, Kimball, Melville, Russell, Robison, Thurman—8.

Noes—Howell, Johnson, Lowe, Lund, Porter, Pierce, Smith, Sargent, Stewart, Williams, Wood—11.

Absent—Allen, Bennion, Ferry, Reid—4.

H. F. No. 21, pending third reading, on motion, made special order for to-morrow—ayes, 10; noes, 9; absent, 4.

H. F. No. 20, A Bill to amend Sections 4455, 4457, 4461, 4469, 4622, 4631, 4677, and to repeal Section 4462 of the Compiled Laws of Utah, 1888, relating to the penal code.

Read, amended and passed.

Ayes—Allen, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—0.

Absent—Bennion, Ferry, Reid—3.  
Title read, amended and approved.

#### MISCELLANEOUS BUSINESS.

By Mr. Pierce—Claim of P. L. Williams, ex-Territorial School Commissioner, printing blanks, etc., during 1888, amounting to \$187.55.

Referred without reading to the Committee on Claims and Public Accounts.

#### COMMUNICATION FROM N. W. CLAYTON, TERRITORIAL LIBRARIAN.

Salt Lake City,  
February 5, 1890.

*Hon. James Sharp, Speaker, and Members of the Legislative Assembly:*

Gentlemen.—I have the honor to report that as soon as practicable after the adjournment of the last Legislative Assembly, I removed the Territorial Library to the University building and appointed Hon. John R. Park, President of the University of Deseret, deputy to take charge of the same. I have the honor to transmit herewith his report and ask that the suggestions therein be carefully considered.

It will be remembered that the Assembly of two years ago passed an Act providing for the removal of the Library to the University building, which act was returned by the Governor with a statement that the act was unnecessary as the Librarian had the authority to do what the act contemplated. Taking this as an expression of the Assembly as well as the Executive favoring a removal, I carried it into execution. There has been some complaint about the Library being inaccessible in its present quarters, but to my mind it is much better located than it has been for many years, or than it can be until the Territory owns a building of its own. Heretofore the Library has been removed quite often entailing considerable expense and perhaps loss of books. It can remain where it now is until the Territory can provide permanent quarters for it, and I respectfully suggest that it be allowed to remain and that John R. Park be appointed Librarian.

The following is a statement of the financial status of

the library and I respectfully ask that the amount expended be appropriated and that an appropriation be made for what is due the Bancroft Company, and for new books, and that the librarian have the authority to exchange our statutes for those of other States and Territories.

## STATEMENT.

January 1, 1888, By balance,		\$ 7 63
January 31, 1888, To History Co., Vols. 36-37, . . . . .	\$11 00	
April 10, 1888, To History Co., Ency. Vol. 122, . . . . .	6 00	
May 25, 1888, To Publisher's Weekly, . . . . .	5 00	
June 4, 1888, To Utah Gazeteer, . . . . .	4 00	
June 4, 1888, To H. Pembroke, station- ery, . . . . .	8 65	
September 17, 1888, Bancroft's History, Vols. 14, 34, 35, . . . . .	16 50	
September 17, 1888, Subscription to magazine and freight, . . . . .	5 85	
March 2, 1889, Freight on box of books, . . . . .	3 56	
March 2, 1889, J. H. Parry & Co., Printing, . . . . .	10 15	
April 6, 1889, Subscription to North American Review, . . . . .	5 00	
May 11, 1889, Subscription to Library Journal and expressage, . . . . .	6 15	
November 25, 1889, Annual digest and express, . . . . .	8 45	90 31
Excess of expenditures, . . . . .		<u>\$82 68</u>

In addition to this there is due the Bancroft Company, for history publications the sum of \$33.00 as per enclosed statement. We also owe them for some seven or eight Encyclopædia Britannicas, but they have failed to send a statement.

Very respectfully,  
N. W. CLAYTON, *Librarian.*

## CONSIDERATION OF COMMUNICATION.

Referred without reading to the Committee on Territorial Library.



The Speaker presented the following communication which was read:

University of Deseret,  
Salt Lake City, Jan. 30, 1890.

*To the Honorable the Speaker and Members of the House of Representatives:*

Gentlemen.—Allow me the honor to extend severally to the members of your honorable body an invitation to visit the University of Deseret, including its Home Institute of its Deaf Mute Department, at such time as may suit your convenience.

Yours respectfully,  
JOHN R. PARK, *President.*

INTRODUCTION AND FIRST READING OF BILLS (BY CONSENT).

By Mr. Thurman—H. F. No. 40, A Bill to amend Sections 219 and 220 of the Compiled Laws of Utah of 1888, relating to the removal of county seats.

Read and referred to the Committee on Counties.

By Mr. Hammond—H. F. No. 41, An Act to amend Section 2576 of the Compiled Laws of Utah of 1888, relating to adoption of children.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Kimball—H. F. No. 42, A Bill to amend the Compiled Laws of Utah, 1888, by incorporating a new section in the code of civil procedure, to be known as Section 3308 a.

Read first time and referred to the Committee on Judiciary.

By Mr. Kimball—H. F. No. 43, A Bill to amend the Compiled Laws of Utah, 1888, by incorporating a new section in the code of civil procedure, to be known as Section 3256 a.

Read first time by its title and referred to the Committee on Judiciary.

On motion, Mr. Ferrin was excused for to-morrow.

On motion of Mr. Allen, House adjourned, at 4:10 p.m., until 2 p. m. to-morrow, February 6th, 1890.

Benediction by the Chaplain.



## TWENTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Thursday, February 6, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present

Prayer by the Chaplain.

Journal of the twenty-fourth day read and approved.

## COMMUNICATION FROM COUNCIL.

Utah Legislature,  
Council Chamber,  
February 6, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency, the Governor, and the same is herewith forwarded for your information.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Territory of Utah,  
Executive Office,  
Salt Lake City, February 5, 1890

*Hon. F. S. Richards, President of the Council, Salt Lake City, Utah:*

Sir.—I have this day approved and filed in the office of the Secretary of the Territory, C. F. No. 17, entitled “An Act amending Section 1906 of the Compiled Laws of Utah, 1888.”

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

## REPORTS OF STANDING COMMITTEES.

Committee Room,  
February 6, 1890.

*Mr. Speaker:*

Your Committee on Ways and Means, to whom was referred

the report of the Committee on Ways and Means of the Council, together with the accompanying documents relating to the alleged illegal action of the Territorial Board of Equalization of taxes in ordering an increase in the assessment of railroad property in Emery County, together with C. C. R. No. 7 on the same subject, herewith report the same back and recommend that said resolution be adopted.

WILLIAMS, *Chairman.*

CONSIDERATION OF COMMITTEE'S REPORT.

Report read and adopted.

C. C. R. No. 7, read and adopted unanimously.

Committee Room,  
February 5, 1890.

*Mr. Speaker:*

Your Committee to whom was referred the communications of John M. Zane, and the Judges of the Supreme Court of said Territory, in regard to the purchase of the Utah reports, beg leave to report the same back with the following recommendation, viz., that the accompanying joint resolution be put upon its passage.

SARGENT, *Chairman.*

CONSIDERATION OF COMMITTEE'S REPORT,

Read and adopted.

H. J. R. No. 2:

Read first time and filed for second reading and ordered printed.

Committee Room,  
February 6th, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to whom was referred the report of the Agricultural College, respectfully ask permission of the House to have the same printed for the use of the members of both houses.

Respectfully,

ROBISON, *Chairman.*

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

Accompanying resolution, H. C. R. No. 11:

*Resolved*, The Council concurring, that the Committee on Printing be instructed to have printed 1000 copies of the Report of the Board of Trustees of the Agricultural College, Utah, for the use of the members of the Assembly and for distribution.

Read and adopted.

Legislative Hall;  
February 6, 1890.

*Mr. Speaker:*

The Committee on Education would respectfully report that they have considered the report of J. S. Boreman, Commissioner of Schools, which was referred to them by this House. We recommend that the same be amended by striking out the paragraph on page five beginning with the word "whilst," down to "there is no permanency," etc., on page six. We also recommend that five hundred copies of the report as amended, together with the statistical tables submitted therewith, be printed for the use of the Assembly and the Commissioner of Schools.

ALLEN, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and commissioner's report with accompanying documents recommitted to the Committee on Education.

Legislative Hall,  
February 5, 1890.

*Mr. Speaker:*

The Committee on Live Stock, to whom was referred a bill to prevent sheep from trespassing on cultivated lands, beg to report that they are unanimously of the opinion that existing laws sufficiently provide for the evils complained of and recommend that it be rejected.

L. JOHNSON, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Adopted.

Petition from Geo. A. Hicks and others rejected, together with accompanying draft for a bill.

Committee Room,  
February 6, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of Martin S. Lindsay for services rendered as clerk, during the last day of the Twenty-eighth Session of the House of Representatives of the Legislature, having considered the same, recommend that the claim be allowed and the amount, \$5.00, appropriated.

CREER, *Chairman.*

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read, adopted and referred to Committee on Appropriations with instructions.

#### COMMITTEE'S REPORT ON H. F. NO. 29.

Laid over yesterday, was taken up, and, on motion adopted.

H. F. No. 29, read, and on motion rejected.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Kimball—H. F. No. 44, A Bill concerning conveyances.

Read first time by its title, and referred to the Committee on Judiciary.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 6, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments to C. F. No. 5, and requests a Conference Committee thereon; Councilors Hall and Richards are appointed conferees on the part of the Council.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COMMUNICATION.

On motion, Conference Committee granted, and Speaker named Messrs. Kimball and Hammond as said committee on the part of the House.

## SPECIAL ORDER OF THE DAY.

H. F. No. 21, taken up, and made special order for February 25th.

## SECOND READING OF BILLS.

House substitute for C. F. No. 15, laid over for the day.

## THIRD READING OF BILLS.

H. F. No. 13, laid over for the day.

## MISCELLANEOUS BUSINESS.

Committee Room,  
February 6, 1890.

*Mr. Speaker:*

Your Committee on Enrollment, to whom was referred H. F. No. 16, (substitute) "A Bill to amend Section 2805 Compiled Laws of Utah, 1888, relating to chattel mortgages," and H. F. No. 17, "A Bill to amend Section 2084 of the Compiled Laws of Utah of 1888, relating to highways," have to report that said bills have been correctly enrolled, duly signed by the Speaker and President, and were, at 3:15 p. m. of this day, forwarded to the Governor for executive action thereon.

Respectfully,  
BENNION, *Chairman*.

On motion of Mr. Sargent, House adjourned, at 3:30 p.m., until 2 p. m., to-morrow, February 7, 1890.

Benediction by the Chaplain.



## TWENTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Friday, February 7, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the twenty-fifth day read and approved.

## PRESENTATION OF PETITIONS.

The following was presented by the Speaker:

*To the Honorable the Governor and Legislative Assembly of the Territory of Utah:*

Gentlemen:—Your petitioners respectfully represent their entire approval of a bill, recently introduced, for the suppression of the sale of tobacco and cigarettes to the minors of this Territory. We deem it a duty of the highest importance devolving upon the Legislators of any civil government to guard well the health and morals of the youth, and as the practice of cigarette and tobacco smoking, so closely allied to the use of intoxicants, is becoming so alarmingly prevalent, we mostly heartily endorse whatever measure will suppress this growing evil. Trusting that such a bill will meet with unanimous assent by every member of the House and Council of your honorable body, and the ratifying signature of the Governor of the Territory, and your petitioners will ever pray.

Signed by Joshua Terry and others.

Which was read and referred to the Committee on Public Health.

Mr. Wood presented petition upon the same subject signed by W. H. Rowe and 1037 residents of Salt Lake County.

Referred without reading to the Committee on Public Health.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,

*Mr. Speaker :* February 6, 1890.

I am directed to inform your honorable body that the Council has this day concurred in H. C. R. No. 11.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## REPORTS OF STANDING COMMITTEES.

House of Representatives,  
February 7, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred C. F. No. 7, amending sections 2320 and 2323, Compiled Laws of Utah, relating to railroad corporations, beg leave to report the same back and recommend that the same be put upon its passage.

Respectfully,  
HAMMOND, *Chairman.*

## CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

C. F. No. 7 placed on file for second reading.

Representatives Hall,  
Salt Lake City,

*Mr. Speaker:* February 7, 1890.

Your Committee on Private Corporations, to whom was referred C. F. No. 2, A Bill requiring railroad corporations and train dispatchers to make public the time of the departure of trains, beg leave to report the same back with two amendments and recommend that with such amendments the same be put upon its passage.

Respectfully,  
HAMMOND, *Chairman.*

## CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

Amendments suggested read and adopted and C. F. No. 2 placed on file for second reading.

House of Representatives,  
Salt Lake City,  
February 7, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred the communication of the secretary of the Salt Lake Chamber of Commerce, relating to removing the restrictions upon corporations with reference to dealing in real estate as a business, beg leave to report that in the opinion of the committee such restrictions upon corporations are wise and in the interest of the people of the commonwealth and should not be removed.

Respectfully,  
HAMMOND, *Chairman.*

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 7th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted C. C. R. No. 8, and same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

C. C. R. No. 8:

*Resolved*, the House concurring, that a joint committee of five, two from the Council, and three from the House, be appointed and instructed to visit Fort Cameron, in Beaver County, Utah, and investigate the buildings and surroundings and report upon the advisability of the Territory purchasing said Fort, for the purpose of establishing a branch of the Territorial Insane Asylum.

CONSIDERATION OF C. C. R. NO. 8.

Read and, on motion, adopted.

The Speaker named as said committee on the part of the House Messrs. Williams, Hammond and Robison.

## REPORTS OF STANDING COMMITTEES (CONTINUED).

Committee Room,  
February 7, 1890.

*Mr. Speaker;*

Your Committee to whom was referred H. F. No. 18, "A Bill for the better regulation of transitory herds, and other purposes," and H. F. No. 31 (substitute), relating to the same subject, respectfully report that after careful consideration of the same they recommend that both bills be rejected.

Respectfully,  
MELVILLE, *Chairman.*

## CONSIDERATION OF COMMITTEE'S REPORT.

On motion adopted.

H. F. No. 18 and H. F. No. 31, rejected.

Committee Room,  
Salt Lake City,  
February 7, 1890.

*Mr. Speaker:*

Your committee to whom was referred H. F. No. 36, A Bill to encourage the planting of forest trees in the Territory of Utah, after considering the same, respectfully report that they deem the existing laws are sufficient in that matter and recommend that said bill do not pass.

Respectfully,  
ROBISON, *Chairman.*

## CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 36, read and rejected.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 7, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 10,



(substitute) and same is herewith returned for your further action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF H. F. No. 10 (SUBSTITUTE).

Referred without reading to the Committee on Live Stock.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Smith—H. F. No. 45, A Bill to amend Chapter 3, Part fourth, of the Compiled Laws of Utah of 1888.

Read first time by its title and referred to the Committee on Judiciary.

SECOND READING OF BILLS.

C. F. No. 15, (Substitute) Read second time by sections, amended and placed on the general file for third reading.

C. F. No. 7, A Bill amending Sections 2320 and 2323, Compiled Laws of Utah of 1888, "relating to railroad corporations."

Read second time by sections and amended.

Rules suspended—Ayes, 15; Noes, 5; absent, 3.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Hammond, Howell, Johnson, Kimball, Lowe, Lurd, Melville, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes—0.

Absent—Ferrin, Ferry—2.

Title read, amended and approved.

C. F. No. 2. Read second time by sections and placed on the general file for third reading.

H. F. No. 1, read second time by sections, amended, and placed on general file for third reading.

THIRD READING OF BILLS.

H. F. No. 13, A Bill requiring the several county recorders of the counties of Utah Territory to furnish abstracts of mortgages to the assessors of the counties in which the mortgagee resides.



Read third time and passed.

Ayes—Allen, Creer, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Stewart, Sargent, Thurman, Williams, Wood.—20.

Noes—Bennion—1.

Absent—Ferry, Ferrin—2.

Title read, amended and approved.

#### MISCELLANEOUS BUSINESS.

By Mr. Robison—Claim of Beaver County for amount paid by said County to Jesse Baldwin, Sheriff, for boarding and guarding prisoners; amount \$480.40.

Referred without reading to the Committee on Claims and Public Accounts.

On motion, Mr. Ferrin was excused for the day and the day previous.

On motion, Mr. Thurman was excused for his absence February 6, 1890.

On motion of Mr. Howell, the House adjourned, at 5:10 p. m., until to-morrow, at 2 p. m., February 8, 1890.

Benediction by the Chaplain.

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#### TWENTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Saturday, February 8th, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the twenty-sixth day read and approved.

#### REPORTS OF STANDING COMMITTEES:

Representative Hall,  
February 8th, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred

H. F. No. 41, relating to the adoption of children, respectfully report and recommend that the bill be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF THE COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 41 placed on file for second reading.

Representative Hall,  
February 8, 1890.

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred H. F. No. 43, incorporating a new section in the Code of Civil Procedure, to be known as Section 3256 a, relating to making judgments conclusive in certain cases, respectfully recommend that said bill be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 43 placed on file for second reading.

Committee Room,  
February 8, 1890.

*Mr. Speaker:*

Your committee, to whom was referred H. F. No. 8, "A Bill to provide for the protection of fish and game and for the appointment of a Territorial and County commissioners," beg leave to report it has had the same under consideration and respectfully report the accompanying bill as a substitute, and recommend that it be put upon its passage.

PORTER, *Chairman*.

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 8 (substitute) adopted in lieu of original, placed of file for second reading and ordered printed.

Legislative Hall,  
February 15, 1890.

*Mr. Speaker:*

Your committee on "public health," to whom was referred H. F. No. 19, relating to the sale of tobacco, opium, etc., and accompanying petition, beg to report that having given the same careful consideration they recommend that the bill be put upon its passage.

RUSSELL, *Chairman.*

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 19 placed on file for second reading.

#### REPORT OF SELECT COMMITTEE.

Legislative Hall,  
February 8, 1890.

*Mr. Speaker:*

Your committee appointed to confer with a similar committee from the Council on Council File No. 5, respectfully report that it has performed that duty and respectfully recommends that the House do recede from its amendment by which the first two lines and a half of Section 7 were stricken out, and recommend that said bill be put upon its passage. We further report that the Council committee have agreed to request that House do concur in all the other House amendments to said bill.

Respectfully,

JAMES N. KIMBALL.  
J. T. HAMMOND.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

On motion, House receded from its amendment in Section 7 to C. F. No. 5.

C. F. No. 5 passed as amended.

Ayes—Allen, Bennion, Creer, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes—0.

Absent—Ferrin, Ferry—2.

## INTRODUCTION AND FIRST READING OF BILLS.

By Hammond—H. F. No. 46, A Bill to amend Section 3069, Compiled Laws of Utah of 1888, relating to jurors.

Read the first time and referred to the Committee on Judiciary.

## SECOND READING OF BILLS.

H. J. R. No. 2, read second time, amended and placed on general file for third reading.

H. F. No. 41, read second time by sections and placed on general file for third reading.

H. F. No. 43, read second time, amended and placed on the general file for third reading.

H. F. No. 19, read second time by sections, amended and placed on the general file for third reading.

## THIRD READING OF BILLS.

C. F. No. 15 (substitute), A Bill to authorize probate courts to grant orders in certain cases without publication of notice.

Read third time and passed.

Ayes—Bennion, Creer, Hammond, Howell, Johnson, Lowe, Melville, Porter, Russell, Robison, Stewart, Sargent, Thurman, Williams, Wood—15.

Noes—Allen, Kimball, Pierce, Reid, Smith—5.

Absent—Ferrin, Ferry, Lund—3.

Title read, amended and approved.

C. F. No. 2, A Bill requiring railroad companies and train dispatchers to make public the time of departure of trains.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Hammond, Howell, Lowe, Lund, Porter, Pierce, Russell, Robison, Stewart, Thurman, Wood—14.

Noes—Kimball, Melville, Reid, Smith, Sargent, Williams—6.

Absent—Ferrin, Ferry, Johnson—3.

Title read, amended and approved.

H. F. No. 1, A Bill to establish a free public school system in certain cities of the Territory of Utah.

Read third time and passed.

Ayes—Allen, Creer, Hammond, Howell, Johnson,

Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—0.

Absent—Bennion, Ferrin, Ferry—3.

Title read and approved.

#### MISCELLANEOUS BUSINESS.

Mr. Bennion moved that when the House adjourn it be until Tuesday, Feb. 11th, 1890. Carried.

On motion, Mr. Smith was excused until Wednesday, Feb. 12th, 1890.

On motion of Mr. Smith, House adjourned, at 3.30 p. m., until Tuesday, February 11th, 1890, 2 p. m.

Benediction by the Chaplain.

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### THIRTIETH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Tuesday, February 11, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the Chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the twenty-seventh day read and approved.

#### PRESENTATION OF PETITIONS.

By Mr. Sargent—From Jacob A. Rohner and 22 others, residents of Harmony, Washington County, asking to be connected with Iron County.

#### CONSIDERATION OF PETITION.

Read and referred to the Committee on Counties.



## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, C. F. No. 7, A Bill amending Sections 2320 and 2323 of the Compiled Laws of Utah.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
February 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted the report of the Conference Committee on C. F. No. 5, and has passed the same.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONTINUATION OF PETITIONS.

By Mr. Sargent—From A. Shirts and others, residents of Garfield County, asking for an appropriation of \$750 to be used for the repairing of certain public roads.

## CONSIDERATION OF PETITION.

Read and referred to the Committee on Highways.

By Mr. Ferrin—From W. W. McDonald and others, residents of Weber County, asking for an appropriation of \$1,000 to be used in repairing the wagon road known as the South Fork Road. Also asking that \$1000 be appropriated for repairing road between Weber and Cache Counties.

## CONSIDERATION OF PETITION.

Read and referred to the Committee on Highways.

By Mr. Johnson—From C. C. Bartlett and others, residents of Uintah County, asking for relief in the sum of \$1,780 incurred quarantining said county during 1889.

## CONSIDERATION OF PETITIONS.

Read and referred to the Committee on Public Health.

## REPORTS OF STANDING COMMITTEES.

Committee Room,  
February 11, 1890.

*Mr. Speaker:*

Your Committee on Counties, to whom was referred H. F. No. 40, relating to the removal of county seats beg leave to report that they have carefully considered the same and recommend that it be put upon its passage.

C. N. LUND, *Chairman*.

## CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 40 placed on file for second reading.

Legislative Hall,  
February 11, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 44, A Bill concerning conveyances, respectfully report and recommend the bill be put on its passage.

THURMAN, *Chairman*.

## CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 44 placed on file for second reading.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Lund—H. F. No. 47, A Bill to amend Sections 1729 and 1761 of the Compiled Laws of Utah, 1888, in relation to the corporation of cities.

Read first time and referred to the Committee on Municipal Corporations and Towns.

By Mr. Lund—H. F. No. 48, A Bill to prevent the fouling of water.

Read the first time and referred to the Committee on Public Health.

#### MOTIONS AND RESOLUTIONS.

By Mr. Russell:

That the Rules of this House be amended as follows: Any Committee reporting adversely upon any bill, shall assign a reason therefor; a failure so to do shall be deemed sufficient cause for rejection of said report.

Read and referred to the Committee on Rules.

#### SECOND READING OF BILLS.

H. F. No. 8 laid over for the day.

H. F. No. 40, A Bill to amend Sections 219 and 220 of the Compiled Laws of Utah, 1888, relating to removal of county seats.

Read second time by sections, on motion, rules suspended—ayes, 15; noes, 6; absent, 2.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Robison, Sargent, Stewart, Thurman, Wood—19.

Noes—Reid—1.

Absent—Ferry, Smith, Williams—3.

Title read and approved.

H. F. No. 44 read second time by sections, amended and placed on the general file for third reading.

#### THIRD READING OF BILLS.

H. J. R. No. 2 read third time, amended, and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Wood—20.

Noes—0.

Absent—Ferry, Smith, Williams—3.

H. F. No. 41, An Act to amend Section 2576 of the Compiled Laws of Utah of 1888, relating to the adoption of children.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Wood—20.

Noes—0.

Absent—Ferry, Smith, Williams—3.

Title read, amended and approved.

H. F. No. 43, A Bill to amend the Compiled Laws of Utah, 1888, by incorporating a new section in the Code of Civil Procedure to be known as Section 3256, a.

Read third time, and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Stewart, Sargent, Thurman, Wood,—20.

Noes—0.

Absent—Ferry, Smith, Williams—3.

Title read and approved.

H. F. No. 19, A Bill prohibiting the selling, giving or furnishing of tobacco, opium, or other narcotics in any form to minors.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Wood—20.

Noes—0.

Absent—Ferry, Smith, Williams—3.

Title read, amended and approved.

#### MISCELLANEOUS BUSINESS.

The Speaker submitted the report of the President and Board of Directors of the Deseret Agricultural and Manufacturing Society.

Referred without reading to the Committee on Agriculture and Irrigation.

The Speaker submitted the biennial report of the trustees of the Territorial Reform School.

Referred without reading to the Committee on Penitentiary and Reform School.

The following communication was read:



American Federation of Labor,  
21 Clinton Place, New York City,  
January 30th, 1890.

Dear Sir:—Enclosed please find a copy of a preamble and resolution which is self-explanatory, and which I most respectfully request you to introduce or cause to be introduced and passed by the Legislature of your State.

You, of course, understand that the movement now going on by the workingmen and women of our country to establish by mutual arrangement with our employers an Eight Hour workday is receiving the attention of all classes and conditions of people in our country.

Recently we have had expressions of profound sympathy and co-operation from men in the highest public situations in America, and we ask you to press this matter forward in the interest of the people of the whole country.

You will observe that the resolutions are merely declaratory in their character and have no binding force upon the Legislature; but we ask those expressions of good will for our movement, believing and earnestly hoping that the best interests of the whole people will be subserved by the achievement of this reform.

Asking you kindly to comply with the request herein contained, I have the honor to subscribe myself.

Yours very respectfully,  
SAMUEL GOMPERS,

*President American Federation of Labor.*  
*To the Hon. Speaker of the House of Representatives, Salt Lake City, Utah Territory.*

Read and with accompanying documents referred to the Committee on Judiciary.

On motion Mr. Kimball was excused for to-morrow, Feb. 12, 1890.

On motion, Mr. Williams was excused for his absence today, Feb. 11, 1890.

On motion of Mr. Allen, House adjourned, at 3.50 p. m., until 2 p. m. to-morrow, February 12, 1890.

Benediction by the Chaplain.



## THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Wednesday, February 12, 1890.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the thirtieth day read and approved.

## COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
February 8, 1890.

*Hon. James Sharp, Speaker of the House, Salt Lake City, Utah:*

Sir—I have this day approved and filed in the office of the Secretary of the Territory H. F. No. 16, entitled, "An Act to amend Section 2805, Compiled Laws of Utah, 1888, relating to Chattel Mortgages;" also H. F. No. 17, entitled, "An Act to amend Section 2084 of the Compiled Laws of Utah of 1888, relating to Highways."

It seems to me the provisions of the last mentioned act are rather severe, but as they are enacted in the interest of the general public, and can only effect those who willfully or carelessly violate the law, I have approved it.

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

## REPORTS OF STANDING COMMITTEES.

Committee Room,  
February 12, 1890.

*Mr. Speaker:*

Your Committee on Education herewith return the report of the Commissioner of Schools, and recommend that one thousand copies of the same be printed, omitting a por-

tion thereof noted on the report since it has been withdrawn by the Commissioner.

But we recommend that this printing shall not be done until it is determined whether there will be any legislation with regard to schools by the present Legislature since it would be well to print any such laws in connection with this report.

If this suggestion meet with approval by the House, at the proper time, the committee will introduce a concurrent resolution authorizing the printing which we recommend.

ALLEN, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

Legislative Hall,  
February 12, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 42, to amend the Compiled Laws of Utah, 1888, by incorporating a new section, etc., relating to attachments in certain cases, respectfully report that in the judgment of the committee the bill should be rejected. The committee deem it injudicious to extend the power of attachment to cases where the probable damages are unliquidated or not clearly ascertainable by some fixed standard of measurement.

To allow attachments in cases of tort where the damages are speculative or vindictive, would in the opinion of the committee be oppressive and unjust and in the majority of cases be productive of hardship and inconvenience. Hence the above recommendation.

THURMAN, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read, and with H. F. No. 42, laid on the table to come up when called for.

Legislative Hall,  
February 12, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 45, to amend 3069 of the Compiled Laws of Utah

of 1888, relating to jurors, respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 46 filed for second reading.

Legislative Hall,  
February 12, 1890.

*Mr. Speaker:*

The Committee on Municipal Corporations, etc., to whom was referred H. F. No. 47, amending Sections 1729 and 1762 of the Compiled Laws of Utah, 1888, relating to municipal corporations, respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 47 placed on file for second reading, ordered printed.

Committee Room,  
February 12, 1890.

*Mr. Speaker:*

Your Committee on Live Stock, to whom was referred the Council amendment to a substitute for House File No. 10, have considered the same. We advise that the House concur.

JOHNSON, *Chairman*.

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

Council amendments to H. F. No. 10, read and with bill recommitted to the Committee on Live Stock.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day requested a committee of conference on House amendments to C. F. No. 2, and names Councilors Booth and Richards as conferees on the part of the Council.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COMMUNICATION.

On motion, conference committee granted.

The Speaker named as said committee on the part of the House, Messrs. Allen and Thurman.

#### SECOND READING OF BILLS.

H. F. No. 8 (substitute), read second time by sections.

On motion, House took recess at 3.15 p.m.

3:25 p. m.

Speaker called the House to order.

The Committee appointed to visit Fort Cameron withdrew during recess.

On motion they were excused.

Second reading of H. F. No. 8 (substitute), continued.  
Amended and placed on the general file for third reading.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. No. 40 and the same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## SECOND READING OF BILLS (CONTINUED).

H. F. No. 46, read second time, rules suspended—ayes, 14; noes, 4; absent, 5.

H. F. No. 46, A Bill to amend Section 3069 of the Compiled Laws of Utah, of 1888, relating to jurors.

Read third time.

Pending passage, made special order for Monday, February 17, 1890.

## THIRD READING OF BILLS.

H. F. No. 44, pending third reading, made special order for Monday, February 17th, 1890.

## MISCELLANEOUS BUSINESS.

By Mr. Pierce—Claim of H. G. McMillan, Clerk of the Third District Court, for record and stationary \$24.50.

Referred without reading to the Committee on Claims and Public Accounts.

On motion of Mr. Sargent, House adjourned at 4 p.m. until 2 p. m. to-morrow, February 13th, 1890.

Benediction by the Chaplain.

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THIRTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Thursday, February 13, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the thirty-first day read and approved.

## PRESENTATION OF PETITIONS.

By Mr. Wood—From Hyrum Richards and 56 others,



residents of Winter Quarters precinct, Sanpete County, approving of the pretition from W. G. Sharp and others praying for the transfer of Winter Quarters precinct, Sanpete County, to Emery County.

Read and referred to the Committee on Counties.

By Mr. Wood—From Orange Seeley and 200 others, residents of Emery County, asking that the precinct of Winter Quarters, Sanpete County, be transferred to Emery County.

Read and referred to the Committee on Counties.

#### REPORTS OF STANDING COMMITTEES.

##### MAJORITY REPORT.

Committee Room,  
February 13, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of the *Deseret News* Company, for records, day books, judgment docket, minute books, and other blank books, and for blank forms furnished to J. R. Wilkins, clerk of the Second Judicial District Court, amounting to \$435.22, having duly considered said claim, recommend that the said amount of \$435.22 be allowed and placed on the general appropriation bill.

CREER,  
LOWE,  
LUND.  
HOWELL.

##### CONSIDERATION OF COMMITTEE'S REPORT.

Read and with accompanying documents recommitted to the Committee on Claims and Public Accounts.

##### MINORITY VERBAL REPORT.

Recommend that \$140.77 be stricken from the claim of the *Deseret News* Company because this amount was for blanks which should, in the judgment of the minority, be paid for by the clerk of the District Court.

C. E. ALLEN.

Committee Room,  
February 13, 1890.

*Mr. Speaker:*

Your Committee on Rules, to whom was referred a motion to amend the rules of this House, beg leave to return the same with a recommendation that the amendment be rejected for the reason that it is the sense of said committee that the rules in force are sufficient, and no good reason is assigned for the adoption of said amendment.

Yours, etc.,

REID, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

Motion to amend House rules rejected.

Committee Room,  
February 13, 1890.

*Mr. Speaker:*

Your Committee to whom was referred H. F. No 10 (substitute) with Council amendments, most respectfully report that it has carefully considered the same and advise that the House do not concur in said amendments, and ask that a conference committee of two be appointed by the House to confer with a like committee from the Council on said amendments.

JOHNSON, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

On motion House did not concur in Council amendments to H. F. No. 10 (substitute).

Mr. Porter moved that a conference committee be asked for. Carried.

Speaker named Messrs. Porter and Johnson as conferees on the part of the House.

Committee Room,  
February 13, 1890.

*Mr. Speaker:*

The committee appointed to confer with a similar committee of the Council concerning a disagreement between the two Houses on a House amendment to C. F. No. 2, "A

Bill requiring railroad train dispatchers to make public the time of departure of trains," report a disagreement, and recommend that the House do not recede from its amendment.

ALLEN, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

#### SECOND READING OF BILLS.

H. F. No. 47, Read second time by sections.

Rules suspended—Ayes, 12; Noes, 4; Absent, 7.

H. F. No. 47, A Bill to amend Sections 1729 and 1761 of the Compiled Laws of Utah of 1888, in relation to incorporated cities.

Read third time, rejected.

Ayes—Ferrin, Howell, Lowe, Lund, Melville, Porter, Reid, Sargent, Thurman, Wood—10.

Noes—Allen, Bennion, Creer, Johnson, Pierce, Russell, Smith, Stewart—8.

Absent—Ferry, Hammond, Kimball, Robison, Williams—5.

#### THIRD READING OF BILLS.

H. F. No. 8 (Substitute), A Bill to provide for the protection of fish and game, and for the appointment of a Territorial and county commissioners.

Read third time and amended. Passed.

Ayes—Bennion, Creer, Ferrin, Howell, Johnson, Lowe, Lund, Melville, Porter, Russell, Reid, Smith, Sargent, Stewart, Thurman—15.

Noes—Allen, Pierce—2.

Absent—Ferry, Hammond, Kimball, Robison, Williams, Wood—6.

Title read and approved.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 13, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the

Council has this day granted request for a conference committee on H. F. No. 10, and the President has appointed Councilors Seegmiller and Bryan as the Council's conferees thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### MISCELLANEOUS BUSINESS.

#### *To whom it may concern:*

From what we know and have learned concerning Mr. Musser's labors in advancing the fish interests of Utah, we are of the opinion that five hundred dollars a year for services rendered has been well earned by him, and that it would be a simple act of justice for the Legislative Assembly to appropriate the amount prayed for in the accompanying petition.

JOSEPH R. WALKER,  
M. H. WALKER,  
G. S. ERB,  
W. S. McCORNICK,  
WILLIAM FULLER,  
GEO. M. SCOTT,  
JOHN SHARP,  
HEBER M. WELLS,  
FRANCIS ARMSTRONG,

THOMAS J. ALMY,  
R. C. CHAMBERS,  
WALTER ALMY,  
JAMES JACK,  
JOHN T. CAINE,  
ANGUS M. CANNON.  
S. P. TEASDEL,  
P. H. LANNAN,  
H. DINWOODEY,

Salt Lake City, Utah,  
February 5, 1890.

#### CONSIDERATION OF COMMUNICATION.

Read, and with accompanying document, referred to the Committee on Fish and Game.

By Mr. Creer—Claim of the Star Publishing Company, for blanks furnished Sergeant-at-Arms, Twenty-eighth Session, 1888, amounting to \$3.25.

Referred without reading to the Committee on Claims and Public Accounts.

On motion of Mr. Creer, House adjourned, at 4:20 p.m., until 2 p. m. to-morrow, February 14th, 1890.

Benediction by the Chaplain.



## THIRTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Friday, February 14, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the thirty-second day read and approved.

Mr. Howell was excused for the day.

On motion Mr. Kimball was excused for his absence yesterday, February 13th, 1890.

## PRESENTATION OF PETITION.

By Mr. Thurman—Claim from W. J. Clark, Clerk of the Supreme Court of Utah Territory, for fees and per diem in Territorial business pending before said court at the January term, 1889 ; amount \$110.50.

## CONSIDERATION OF CLAIM.

Referred without reading to the Committee on Claims and Public Accounts.

## REPORTS OF STANDING COMMITTEES.

Committee's report on H. F. No. 42, laid over Wednesday, Feb. 12, taken up again.

Read and adopted.

H. F. No. 42 rejected.

Committee Room,  
February 14th, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, having considered the claim of the Star Printing Company for blank forms furnished the Sergeant-at-Arms of the twenty-eighth session, Utah Legislature, amounting to \$3.25,



recommend that the same be allowed and placed upon the general appropriation bill.

CREER, *Chairman*.

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

Claim referred to the Committee on Appropriations with instructions.

Committee Room,  
February 14, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of P. L. Williams for expense in furnishing school blanks for the use of the school officers of the Territory, and for publishing 300 copies of School Commissioner's report and the school laws, amounting to \$187.50, having duly considered said claim, recommend that the amount of \$109 be allowed and placed upon the appropriation bill, and that the amount of \$78.50, for publishing School Commissioner's reports, be disallowed and rejected, for the reason that the Legislative Assembly of the twenty-eighth session had declined to authorize the publication of said School Commissioner's report, and for the further reason that a majority of your committee coincide with the action taken heretofore in the matter of publishing said report.

CREER, *Chairman*.

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

Claim referred to the Committee on Appropriations with instructions.

Committee Room,  
House of Representatives,  
Salt Lake City,  
February 14, 1890.

*Mr. Speaker:*

Your committee, to whom was referred communication of A. M. Musser, relating to the salary of Fish Commissioner for the years 1888 and 1889, beg leave to report the same back with the following recommendation:

That the sum of seven hundred dollars (\$700) be appropriated for the relief of the said A. M. Musser as Fish Commissioner of Utah Territory for the years 1888 and 1889.

PORTER, *Chairman.*

# CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

Committee on Appropriations instructed.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 14, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day rejected H. J. R. No. 2, and the same is herewith returned.

Very respectfully,  
FRANK J. CANNON.  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
February 14, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day rejected H. F. No. 14, and the same is herewith returned.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
February 14, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council this day requests a second Conference Committee on House amendments to C. F. No. 2, and names Messrs. Barton and Booth as conferees on the part of the Council.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COMMUNICATION.

Conference Committee granted.

Speaker named as conferees Messrs. Reid and Allen on the part of the House.

## REPORTS OF STANDING COMMITTEES (CONTINUED).

Committee Room,  
February 14, 1890.

*Mr. Speaker:*

The Committee on Education, to whom was referred H. F. No. 2, "A Bill establishing a public school system, and providing for the maintenance and supervision of public schools in the Territory of Utah," have carefully considered the same. They return the bill with amendments whose adoption they recommend, and also recommend that the bill be put upon its passage.

ALLEN, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

On motion, amendments recommended by committee to H. F. No. 2, adopted.

Filed for second reading.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Kimball—H. F. No. 49, A Bill to secure liens to mechanics and others and to repeal all other acts and laws in relation thereto.

Read first time by its title, and referred to the Committee on Judiciary.

By Mr. Kimball—H. F. No. 50, A Bill to secure to ranchmen, tavern keepers and other persons liens on personal property, and repealing all other laws in relation thereto.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Pierce—H. F. No. 51, A Bill amending Section 2531 of the Compiled Laws of Utah of 1888, relating to release of dowers.

Read first time by its title and referred to the Committee on Judiciary.

Committee Room,  
February 14, 1890.

*Mr. Speaker:*

Your Committee of Conference, to whom was referred Council amendments to H. F. No. 10, most respectfully report that they have had the same under consideration and recommend that the House concur in all the amendments made by the Council.

PORTER, *Chairman.*

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

Council amendments to H. F. No. 10 read, House concurring in said amendments except that of subdivision 2209.

Mr. Melville moved for a second conference committee. Carried.

Speaker named Messrs. Melville and Pierce as conferees on part of the House.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 14, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 27, and the same is herewith returned to you for your further action.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Council amendments to H. F. No. 27, read and adopted.  
H. F. No. 27. Passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Smith, Sargent, Stewart, Thurman, Wood—18.

Noes—0.

Absent—Ferry, Hammond, Howell, Robison, Williams—5.

Title read and approved.

## INTRODUCTION AND FIRST READING OF BILLS (CONTINUED).

By Mr. Thurman—H. F. No. 52, A Bill to amend section 2349 of the Compiled Laws of Utah, 1888, relating to railroad corporations.

Read first time by its title and referred to the Committee on Private Corporations.

## MOTIONS AND RESOLUTIONS.

By Mr. Thurman, H. C. R. No. 12:

*Resolved*, The Council concurring, that no bill shall be introduced in either house of the present Assembly after the fiftieth day of the session without the consent of three-fourths of the members present of the house in which the bill is to be introduced. *Provided*, that the above restriction shall not apply to bills appropriating money for the public institutions and courts of the Territory.

## CONSIDERATION OF RESOLUTION.

Read and adopted.

## SECOND READING OF BILLS.

H. F. No. 2, read second time by sections as amended, further amended and placed on the general file for third reading.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 14th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 26, and the same is herewith forwarded for your action thereon.

Respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COMMUNICATION.

Read and C. F. No. 26, A Bill amending Sections 3373 and 3374 of the Compiled Laws of Utah of 1888.



Read first time by its title and referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 14, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day granted request for a second Conference Committee on H. F. No. 10, and the President names Messrs. Richards and Seegmiller as conferees on the part of the Council.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
February 14, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 27, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Consideration of C. F. No. 27, A Bill to amend Section 3388 of the Compiled Laws of Utah, 1888.

Read first time by its title and referred to the Committee on Judiciary.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 14, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received the enclosed communication

from His Excellency the Governor, and the same is herewith forwarded for your information.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Executive Office,

Salt Lake City, Utah,

February 5, 1890.

*Hon. F. S. Richards, President of the Council, Salt Lake City, Utah:*

Sir.—I have this day approved and filed in the office of the Secretary of the Territory, C. F. No. 7, entitled “An Act amending Sections 2320 and 2323 of the Compiled Laws of Utah, 1888, relating to railroad corporations.”

I am, sir, very respectfully,

ARTHUR L. THOMAS, *Governor.*

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,

Council Chamber,

February 14, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 23 and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Consideration of C. F. No. 23, A Bill providing for and regulating the Utah Territorial Library.

Read the first time by its title and referred to the Committee on Territorial Library.

House of Representatives,

February 14, 1890.

*Mr. Speaker:*

Your Committee of Conference on the disagreement between the Council and the House on H. F. No. 10 (substitute), report that they have met with the Conference Com-

mittee of the Council and that the Joint Committee recommend that the Council recede from its amendment.

MELVILLE,  
PIERCE.

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 10 read third time as amended by Council and concurred in by the House. Passed.

Ayes—Allen, Bennion, Ferrin, Johnson, Kimball, Lowe, Lurd, Melville, Porter, Pierce, Russell, Reid, Smith, Sargent, Stewart, Thurman, Wood—17.

Noes—Creer—1.

Absent—Ferry, Hammond, Howell, Robison, Williams—5.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 14, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed H. F. No. 10 (substitute) as recommended by the Conference Committee, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### MISCELLANEOUS BUSINESS.

Mr. Allen moved that when the House adjourn it be until Monday, 2 p. m., February 17, 1890. Carried.

Mr. Creer presented a claim from Deseret News Co. for incorporation record furnished to Third District Court. Amount \$15.00.

Referred without reading to the Committee on Claims and Public Accounts.

Mr. Lund was excused until Tuesday, February 18, 1890.

On motion of Mr. Pierce, House adjourned, at 5:25 p.m., until 2 p. m., Monday, February 17, 1890.

Benediction by the Chaplain.

## THIRTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Monday, February 17, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the thirty-third day read and approved.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 15, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 25, "A Bill authorizing the estates of decedents and minors to be mortgaged or leased in certain cases," and the same is herewith forwarded for your action.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

\* Consideration of C. F. No. 25, A Bill authorizing the estates of decedents and minors to be mortgaged or leased in certain cases.

Read the first time by title and referred to the Committee on Judiciary.

## REPORTS OF STANDING COMMITTEES.

Committee Room,  
February 17th, 1890.

*Mr. Speaker :*

Your Committee on Claims and Public Accounts, to whom was referred the petition of Henry C. White for reimbursement to the amount of \$2,240.00, claimed as a loss

sustained in boarding students of the Deaf Mute Institute, respectfully report, that we have investigated the matter of the alleged loss. We find a difference of opinion existing between the petitioner and the Chancellor and Board of Regents of the University of Deseret as to the contract or agreement for boarding said deaf mutes, but the Legislature having conferred upon said board the supervision and management of, and the responsibility of the support and maintenance of indigent deaf mutes under the law, your committee have no authority to act upon said claim, and therefore recommend that said petition be denied and the claim disallowed.

CREER, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.  
Claim disallowed.

Committee Room,  
House of Representatives,  
Salt Lake City,  
February 17, 1890.

*Mr. Speaker:*

Your Committee to whom was referred the report of Nephi W. Clayton, the Territorial Librarian, beg leave to report the same back and recommend that the sum of one hundred and fifteen dollars and sixty-eight cents (\$115.68) be appropriated as requested.

Respectfully submitted,  
SARGENT, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.  
Committee on Appropriation instructed.

House of Representatives,  
February 17, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred C. F. No. 14, A Bill prohibiting railroad companies from issuing and public officers from receiving passes and fixing the maximum tariff to be collected for carrying pas-



sengers, herewith report the same back and recommend that the same be rejected.

Respectfully,  
HAMMOND, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.  
C. F. No. 14, rejected.

House of Representatives,  
February 17, 1890.

*Mr. Speaker:*

Your Committee on Judiciary, to whom was referred C. F. No. 27, "A Bill to amend Section 3388 of the Compiled Laws of Utah, 1888," have considered the same and herewith return it and recommend that it be put upon its passage.

THURMAN, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.  
C. F. No. 27, filed for second reading.

House of Representatives,  
February 17, 1890.

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred H. F. No. 50, A Bill to secure to ranchmen, tavern keepers and other persons liens on personal property, herewith report the same back and recommend that the same be put upon its passage.

Respectfully,  
THURMAN, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.  
H. F. No. 50 filed for second reading.

House of Representatives,  
February 17, 1890.

*Mr. Speaker:*

Your Committee on the Judiciary, to which was re-

ferred H. F. No. 51, "relating to Releasing Dower," herewith return the same and recommend that it be put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 51, filed for second reading.

Ordered printed.

#### SPECIAL ORDERS OF THE DAY.

H. F. No. 46, laid over after third reading, February 12. Rejected.

Ayes—Creer, Hammond, Howell, Johnson, Kimball, Lowe, Reid, Stewart, Thurman.—9.

Noes—Allen, Bennion, Ferrin, Melville, Porter, Russell, Pierce, Robison, Sargent, Wood.—10.

Absent—Ferry, Lund, Smith, Williams.—4

H. F. No. 44, A Bill concerning conveyances.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Melville, Porter, Pierce, Russell, Reid, Robison, Stewart, Thurman, Wood.—18.

Noes—Sargent—1.

Absent—Ferry, Lund, Smith, Williams—4.

Title read and approved.

#### SECOND READING OF BILLS.

C. F. No. 27, read second time by sections and placed on the general file for third reading.

H. F. No. 50, read second time by sections and placed on general file for third reading.

#### THIRD READING OF BILLS.

H. F. No. 2.

Pending third reading, made special order for to-morrow, February 18, 1890.

#### MISCELLANEOUS BUSINESS.

The Speaker submitted a claim of W. E. French,

Sheriff of Uintah County, Utah, for care and conveyance of certain negro prisoners, amount \$257.25.

Referred, without reading, to the Committee on Claims and Public Accounts.

## COMMUNICATION

From R. H. Terhune, E. M., relating to artesian wells, etc.

Read and referred to the Committee on Agriculture and Irrigation.

Committee Room,  
February 17, 1890.

*Mr. Speaker:*

Your Committee on Enrollment, respectfully report that H. F. No. 27, "An Act to amend Section 2825, Compiled Laws of Utah of 1888, pertaining to Rules and Regulations under the Townsite Act," and H. F. No. 10, (substitute) An Act amending Section 2202 and repealing Sections, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213 and 2214, of the Compiled Laws of Utah of 1888, "relating to Branding and Herding Cattle," and substituting in lieu thereof, new sections to be numbered 2203, 2204, 2205, 2206, 2207, 2208 and 2209, have been correctly enrolled, signed by the Speaker of the House, and President of the Council, and were at 3 p. m. this day forwarded to His Excellency the Governor for executive action thereon.

Respectfully,

BENNION, *Chairman.*

On motion of Mr. Kimball, House adjourned, at 3:25 p. m., until 2 p. m., to-morrow, February 18, 1890.

Benediction by the Chaplain.

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THIRTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Tuesday, February 18, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the Chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the thirty-sixth day read and approved.

Mr. Smith was excused for his absence Feb. 17, 1890.

# PRESENTATION OF PETITIONS.

By Mr. Melville:

Office of Probate and County Clerk,  
Millard County,  
Fillmore, Utah, Feb. 13, 1890.

*To the Honorable the Governor and Legislative Assembly of the  
Territory of Utah:*

Gentlemen.—We the undersigned, county officers within and for the County of Millard, would most respectfully represent to your honorable body that the floods coming out of the mountains within the past two years have done a great deal of damage to the roads in different parts of the county. That the plans for repairing the same, as scheduled by the county surveyor, will amount to at least twenty-five hundred dollars. We would therefore respectfully ask that your honorable body appropriate the sum of fifteen hundred dollars to aid us in making said repairs.

We remain, most respectfully, your obedient servants,

GEO. C. VEILE, *Probate Judge.*

THOS. C. CALLISTER, *County Clerk.*

J. S. GILES, *County Surveyor.*

Read and referred to the Committee on Counties.

By Mr. Wood—From Nelson Merkley and one hundred and ten others, residents of Emery and Uintah counties, asking for an appropriation of \$2,000 to repair certain roads between Emery and Uintah counties.

Referred without reading to the Committee on Highways.

By Mr. Reid—From A. N. Bjerregaard and others, asking for a change in the boundary lines between Sanpete and Sevier counties.

Read and referred to the Committee on Counties.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 17, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed substitute for H. F. No. 19, A Bill prohibiting the selling, giving or furnishing of tobacco, opium or other narcotics to, and the use thereof by minors, and the same is herewith forwarded for your action thereon. The original file is also returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COMMUNICATION.

H. F. No. 19 (substitute), A Bill prohibiting the selling, giving or furnishing of tobacco, opium or other narcotics to, and the use thereof by minors.

Read first time by its title.

Referred to the Committee on Public Health.

## REPORTS OF STANDING COMMITTEES.

Committee Room,  
Utah Legislature,  
February 18, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to whom was referred the communication of Richard H. Terhune, relating to driven wells, deem that it would be unwise to legislate in the matter at present, and report the same back unfavorably.

Respectfully,  
ROBISON, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

Committee Room,  
Utah Legislature,  
February 18, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to



whom was referred H. F. No. 32, "An Act to prevent the waste of Artesian Water," have had the matter under advisement, and after due consideration of the same, recommend that said bill be rejected.

Respectfully,  
ROBISON, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.  
H. F. No. 32 laid over for the day.

Representative Hall,  
February 18, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No. 25, A Bill authorizing the estates of decedents and minors to be mortgaged or leased in certain cases, recommend that the bill be put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.  
C. F. No. 25 filed for second reading.

Representative Hall,  
February 18, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No. 26, amending Sections 3373 and 3374 of the Compiled Laws of Utah of 1888, relating to special verdicts, etc., respectfully recommend that the bill be put upon its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.  
C. F. No. 26 filed for second reading.

Representative Hall,  
February 18, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H.

F. No. 38, A Bill to regulate the practice of dentistry, respectfully recommend that the bill be rejected.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 38, rejected.

Representative Hall,  
February 18, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 49, A Bill to secure liens to mechanics and others, and to repeal all other acts and laws in relation thereto, respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 49 filed for second reading.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Kimball—H. F. No. 53, A Bill amending Sections 3142, 3143, 3144 and 3145 of the Compiled Laws of Utah of 1888.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Melville—H. F. No. 54, A Bill for an act to amend Section 2591, Compiled Laws of Utah, 1888, relating to marriage.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Hammond—H. F. No. 55, A Bill to encourage the manufacture of native or Portland cement in Utah Territory.

Read first time by its title and referred to the Committee on Private Corporations.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 18, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day adopted H. C. R. No. 12, with amendments and the same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF CO. JNCIL AMENDMENTS TO H. C. R. No. 12

Amendments concurred in.

SPECIAL ORDER OF THE DAY.

H. F. No. 2, A Bill establishing a public school system and providing for the maintenance and supervision of the public schools in the Territory of Utah.

Read third time and amended. Passed.

Ayes — Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Pierce, Russell, Reid, Robison, Smith, Stewart, Sargent, Thurman, Williams, Wood — 21.

Noes — Porter — 1.

Absent — Ferry — 1.

Title read, amended and approved.

SECOND READING OF BILLS.

H. F. No. 51, read second time by sections and placed on general file for third reading.

C. F. No. 25, pending second reading, ordered printed.

C. F. No. 26, read second time by sections. Amended.

Rules suspended — Ayes, 15; Noes, 7; absent, 1.

C. F. No. 26, A Bill amending Sections 3373 and 3374 of the Compiled Laws of Utah of 1888, in relation to trials by jury in civil proceedings.

Read third time and passed.

Ayes — Allen, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood — 20.

Noes — 0.

Absent — Bennion, Ferry, Russell — 3.

Title read, amended and approved.

SECOND READING OF BILLS (CONTINUED).

H. F. No. 49, pending second reading, made special order for to-morrow, February 19, 1890.

## THIRD READING OF BILLS.

C. F. No. 27, A Bill amending Section 3388 of the Compiled Laws of Utah, 1888, relating to trial by referee.

Read third time, amended and passed.

Ayes—Allen, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—0.

Absent—Bennion, Ferry, Russell—3.

Title read, amended and approved.

H. F. No. 50, pending third reading, made special order for Friday, Feb. 21, 1890.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 18, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received the enclosed communication from His Excellency the Governor, disapproving C. F. No. 19, An Act amending Section 164 of the Compiled Laws of Utah of 1888, relating to "Precinct Officers," and the same is forwarded for your information.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## MISCELLANEOUS BUSINESS.

The Speaker submitted a petition from Wm. F. James and others, residents of Salt Lake County, asking for an appropriation to be used in repairing the Big Cottonwood road.

Referred without reading to Committee on Highways.

On motion Mr. Hammond was excused for February 19, 1890.

On motion of Mr. Creer, House adjourned, at 4:10 p.m., until February 19th, 1890.

Benediction by the Chaplain.

## THIRTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Wednesday, February 19, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the thirty-seventh day read and approved.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 18, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day Concurred in House amendments to C. F. Nos. 26 and 27 and the same have been referred to the Committee on Enrollment.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## PRESENTATION OF PETITION.

By Mr. Lowe, from the probate judge and selectmen of Box Elder County, asking for an appropriation of \$5,000 to be used in building bridges in said county.

Read and referred to the Committee on Highways.

## REPORTS OF STANDING COMMITTEES.

Committee Room,  
Utah Legislature,  
February 18, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to whom was referred H. F. No. 32, "An Act to prevent the waste of



artesian water," have had the matter under advisement and after due consideration of the same recommend that said bill be rejected.

Respectfully,  
ROBISON, *Chairman*.

Report acted upon Feb. 18th.  
House refused to reject.  
H. F. No. 32 filed for second reading.

Representative Hall,  
February 19, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 45, to amend Chapter 3, Part Fourth of the Compiled Laws of Utah, 1888, relating to the condemnation of property for railroad purposes, herewith present same with certain amendments, recommend that the bill as amended be put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.  
Amendments read and adopted.  
H. F. No. 45 filed for second reading.

Representative Hall,  
February 19, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 53, A Bill amending Sections 3142, 3143, 3144 and 3145 of the Compiled Laws of Utah of 1888, relating to the statute of limitations, recommend that the bill be put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.  
H. F. No. 53 filed for second reading.

Representative Hall,  
February 19, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred

H. F. No. 54, to amend Section 2591, Compiled Laws of Utah, 1888, relating to marriage, recommend that the bill be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted.

H. F. No. 54 filed for second reading.

Legislative Hall,  
February 19, 1890.

*Mr. Speaker:*

The Committee on Ways and Means, to whom was referred H. F. No. 12, A Bill to provide for the assessing and collecting of taxes on transitory herds, beg leave to report that they have considered said bill and return it with amendments.

Respectfully submitted,  
WILLIAMS, *Chairman*.

CONSIDERATION OF COMMITTEE'S REPORT.

Read and adopted with amendments.

H. F. No. 12, filed for third reading.

Committee Room,  
House of Representatives,  
Salt Lake City, Feb. 19, 1890.

*Mr. Speaker:*

Your Committee to whom was referred C. F. No. 23, A Bill providing for and regulating the Utah Territorial Library, beg leave to report same back with amendments, and recommend that with such amendments the bill be put upon its passage.

SARGENT, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Amendments read, adopted, and C. F. No. 23 filed for second reading.

Representative Hall,  
February 19, 1890.

*Mr. Speaker:*

Your Committee on "Public Health," to whom was re-

ferred substitute for H. F. No. 19, herewith return the same and after careful consideration recommend that Section 2 be stricken out.

Respectfully,  
RUSSELL, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and with substitute to H. F. No. 19, recommitted to the Committee on Public Health.

Committee Room,  
February 19th, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of William J. Clark, clerk of the Supreme Court of the Territory of Utah, for services during the January and June terms, 1889, of said court, in Territorial business, amounting to \$110.50, respectfully report that we have duly considered said claim and recommend that said amount of \$110.50 be allowed and placed on the general appropriation bill.

CREER, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Claim allowed.

Committee on Appropriation instructed

Committee Room,  
February 19, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public accounts to whom was referred the claim of the Deseret News Co., for books records, and blanks furnished the Second Judicial District Court, having further considered said claim, find that the blanks mentioned in the bill were used for Territorial criminal business. We therefore recommend that the amount claimed, viz: \$435.22 be allowed and placed on the general appropriation bill.

CREER, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Claim allowed. Committee on Appropriations instructed.

Committee Room,  
February 19, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the petition of Peter Allan, ex-assessor and collector of San Juan County, asking that the amount of \$100 be appropriated as a relief for uncollected Territorial and school taxes for the year 1887, having duly considered said petition recommend that it be denied, for the reason that the revenue laws of the Territory give collectors ample opportunity of securing themselves for the payment of said taxes.

CREER, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.  
Claim disallowed.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 19, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed Council substitute for H. F. No. 41, and the same (with the original bill) is herewith forwarded to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COUNCIL SUBSTITUTE TO H. F. NO. 41.

Relating to adoption of children with original.  
Referred to the Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
February 19, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day passed C. F. No. 22 (third substitute), A Bill amending Sections 1821, 1824, 1825, 1826 and 1828 of the Compiled Laws of Utah, 1888, etc., and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. No. 22. (THIRD SUBSTITUTE).

A Bill amending Sections 1821, etc., and enacting new sections 1828 a, etc.

Read first time by its title and referred to the Committee on Municipal Corporations and Towns.

SPECIAL ORDER OF THE DAY.

H. F. No. 49.

Read second time by sections, amended and placed on the general file for third reading.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 19, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 16, (substitute,) A Bill to prevent the spread and providing for the treatment of contagious diseases among sheep, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON, *Chief Clerk.*

CONSIDERATION OF C. F. No. 16.

A Bill to prevent the spread, and provide for the treatment of contagious diseases among sheep.

Read first time by its title and referred to the Committee on Live Stock.

SECOND READING OF BILLS.

C. F. No. 25.

Read second time by sections, and placed on the general file for third reading.



C. F. No. 23.

Read second time by sections, amended, and placed on file for third reading.

H. F. No. 32.

Read second time by sections, amended and placed on the general file for third reading.

H. F. No. 45.

Read second time by sections, amended and placed on the general file for third reading.

H. F. No. 53.

Read second time by sections, and placed on the general file for third reading.

H. F. No. 54.

Read second time by sections and placed on the general file for third reading.

### THIRD READING OF BILLS.

H. F. No. 51, A Bill amending Section 2531 of the Compiled Laws of Utah of 1888, relating to dower.

Read third time, and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood,—21.

Noes—0.

Absent—Ferry, Hammond—2.

Title read and approved.

H. F. No. 12, A Bill to provide for the assessing and collecting of taxes on transient stock.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Thurman, Williams, Wood—20.

Noes—Stewart—1.

Absent—Ferry, Hammond—2.

Title read, amended and approved.

### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 19th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day adopted C. J. R. No. 2, and the same is herewith forwarded for your action.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

CONSIDERATION OF C. J. R. NO. 2.

Read first time and referred to Committee on Judiciary.

MISCELLANEOUS BUSINESS.

The Speaker submitted the following:

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir.—I desire to invite your honorable body to visit the manual training department of Salt Lake Academy on Thursday, 20th inst., between the hours of three and five p. m.

Respectfully yours,

EDWARD BENNER, *Prin.*

Invitation accepted with thanks.

Legislative Hall,  
Feb. 19, 1890.

*Mr. Speaker:*

Your Committee on Public Health, to whom was referred substitute for H. F. No. 19, having carefully considered the same, beg to report that they recommend that the House concur in Sections 1 and 3, and non-concur in Section 2.

Respectfully,

Russell, *Chairman.*

CONSIDERATION OF REPORT.

Read and adopted.

House concurred in Council amendment to Council substitute for H. F. No. 19 in Sections 1 and 3, refusing to concur in other amendment. Conference Committee asked for.

The Speaker named as conferees on the part of the House Messrs. Wood and Allen.

Messrs. Kimball and Smith were excused for to-morrow, Feb. 20, 1890.

On motion of Mr. Thurman, House adjourned, at 5.20 p. m., until 2 p. m. February 20, 1890.

Benediction by the Chaplain.

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### THIRTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Thursday, February 20, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the Chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the thirty-eighth day read and approved.

#### REPORTS OF STANDING COMMITTEES.

Committee Room,  
February 19, 1890.

*Mr. Speaker:*

Your Committee on Counties, to whom was referred the petitions of W. G. Sharp and sixty-one others—citizens of Scofield in Emery County, and Hyrum Richards and fifty-six others, citizens of Winter Quarters precinct in Sanpete County, asking that the boundary line between Sanpete and Emery counties be changed so as to include in Emery County all that portion of Territory now lying in Sanpete County, lying east of the township line between ranges five (5) and six (6) east of the Salt Lake meridian, and that lying between the third (3rd) standard parallel south, and the township line between townships eleven (11) and twelve (12) south—beg leave to report having carefully considered the same, and recommend that the prayer of the petitioners be granted.

Your committee have prepared a bill for an act

changing the boundary line as prayed for, which we herewith submit, and ask that it be put upon its passage.

Respectfully,

C. N. LUND, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 56, A Bill to attach a portion of Sanpete County to Emery County.

Read first time, and filed for second reading; ordered printed.

Committee Room,

February 20, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of M. W. Mansfield, collector of Piute County, for the amount of \$15.84 Territorial and school taxes 1887, asking that said amount be reimbursed to him for the reason that said taxes were in the same year assessed and collected in Sanpete County, recommend that said amount be allowed and placed in the general appropriation bill.

CREER, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriations instructed.

Committee Room,

February 20, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of M. W. Mansfield for the amount of \$19.80 for Territorial and school taxes, assessed by him in Piute County in the year 1888, asking that said amount be reimbursed to him, for the reason that said taxes were in the same year assessed and collected in Sevier County, recommend that said amount be allowed, and placed on the general appropriation bill.

CREER, *Chairman*.



## CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriations instructed.

Committee Room,  
February 20, 1890.

*Mr. Speaker:*

The Committee on Education herewith return the report of the Chancellor and Board of Regents of Deseret University we recommend that five hundred copies of the same be printed for the public use.

ALLEN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

H. C. R. No. 13—By Allen:

*Resolved*, the Council concurring, that five hundred copies of the report of the Chancellor and Regents of the University of Deseret be printed for public use.

Read and adopted.

House of Representatives,  
February 20, 1890.

*Mr. Speaker:*

The Committee on Municipal Corporations, to whom was referred H. F. No. 23, A Bill granting the power of veto to mayors and providing for president of city council, etc., respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 23 filed for second reading.

## REPORT OF SELECT COMMITTEE.

House of Representatives,  
Feb. 18th, 1890.

*Mr. Speaker:*

The joint committee appointed and instructed to visit Fort Cameron, in Beaver County, Utah, and investigate the



buildings and surroundings and report upon the advisability of the Territory's purchasing said Fort, for the purpose of establishing a branch of the Territorial Insane Asylum, beg to report that on the 12th inst said committee proceeded by rail to Milford and from thence to Beaver and Fort Cameron by stage, arriving at the last named place on the evening of the 13th. The committee at once began an investigation of the buildings, grounds and general surroundings of Fort Cameron and gathered considerable information as to costs of materials for building purposes and provisions and general supplies for future maintenance, and returned to Salt Lake City, arriving here on the 16th.

Fort Cameron was at one time a United States military post. It was erected in the year 1872 at a cost of about \$230,000, exclusive of labor performed by the troops stationed at the place, and was abandoned and ceased to be used for military purposes in the year 1882.

There are nineteen separate buildings, the walls of which are constructed of blocks of lava laid in good lime mortar and covered with ordinary shingle roofs. They are designated and known as follows:

"The Hospital," a two-story building with ceilings fourteen feet high, on each story. The building is 28x80 feet, and is surrounded with a two-story veranda ten feet wide.

"Officers' Headquarters" cover 30x40 feet, with a twelve-foot ceiling, a one-story building with porch in front.

"The Commissary," a one-story building covering 30x100 feet, ceiling twelve feet high, with a basement of the same size, with a seven-foot ceiling.

"The Guard House," a one-story building 22x60 feet, with ceiling twelve feet high.

"The Sutler's Store," with ceiling twelve feet high, and L-shaped one-story building, one wing of which measures 20x45 feet, the other 20x35 feet. There is a basement under this building 20x45 feet.

"Company Quarters." There are four of these buildings, one story high, 12 foot ceilings. These are L-shaped, one wing measuring 100 x 30 and the other 30 x 40 feet.

"Officers' Quarters." There are five of these buildings. Each one is a double building, a story and a half high, the lower ceilings being twelve feet; in each of these five buildings there are four rooms 18x15 feet, four rooms 16x15 feet, two rooms 10x15 feet, two rooms 15x15 feet, and two hall ways

six feet wide, in each of which is a staircase leading to the upper story of its respective half of the building.

"Commanding Officers' Quarters," a story and a half building, lower ceilings twelve feet high. In this building there are eight rooms 15x17 feet, two rooms 13x14 feet, two hall ways seven feet wide with staircases in each.

"The Bakery," 18x30 feet exclusive of the oven proper.

"Laundry Buildings." There are four of these, each measuring 28x50 feet, ceilings twelve feet high.

In addition to the foregoing buildings there is a frame stable 28x100 feet, stalled for 64 head of animals, and to which is attached a shed the entire length of the stable, 15 feet wide. There are six frame buildings which were used as workshops, each 25x20 feet, and other outbuildings.

The company and officers' quarters, hospital, commissary and guard house are located in the form of a hollow square facing inwards. The interior of this square is forty rods on each side, containing ten acres sown with tame grasses forming a beautiful lawn, surrounded with a fence and two lines of trees.

Immediately in the rear of the officers' quarters is a park of about ten acres, in which there are two miniature lakes of water which can be utalized as ice ponds in the winter time. In the vicinity of the park there are sixty acres of first class land which has been under cultivation and yielded heavy crops of vegetables and grains. In addition to the foregoing there are twenty acres of first-class land yet unbroken, making in all a tract of 160 acres. To this land there is a full and complete water right, and the supply is ample for all purposes. The Fort being located on the Beaver River above all other claimants or users of water from this stream, it has the advantage of always having a good supply of pure mountain water. For culinary, sanitary, power and fire purposes, any pressure desired can be obtained, by carrying the water in pipes a distance not to exceed 4000 feet.

Fort Cameron is distant from Milford about 33 miles, and from Beaver City about one and a half miles. Milford is the nearest railroad point, but surveys are made and a railway route is located within half a mile of the fort. Stages make regular daily connections between Milford and Beaver.

The temperature at Beaver seldom registers as low as ten degrees below and as high as ninety-five degrees above zero, and the climate is such that all classes of grains, vegetables and the hardier varieties of fruit can be grown.

Fort Cameron, its buildings, improvements, and 160 acres of ground can be purchased for the sum of \$25,000 as per offer of the owner of the same, hereto attached, and in which is shown the present condition of the title, marked exhibit "A."

The committee has made some estimates of the cost of making necessary changes in these buildings to fit them for the purposes of an insane asylum, and estimate that with an economical and judicious expenditure of the sum of \$35,000, in addition to \$25,000 for the purchase of the buildings and grounds, accommodations for 200 patients and their officers and attendants, can readily be obtained.

From the foregoing data the committee respectfully recommend that the sum of \$25,000 be appropriated to purchase Fort Cameron and grounds, as per tender made; that \$35,000 be appropriated to put the buildings in a condition to receive patients, and to furnish water works, electric light plant, sewerage and similar improvements; that the law be amended so as to make Fort Cameron a branch of the Territorial Insane Asylum, at which place shall be kept all cases deemed incurable and that proper provision be made for their maintenance.

The expenses incurred by the committee amounts to \$34.40. This does not include transportation, for which there is no charge.

Respectfully,

ROBERT C. LUND,  
JOSEPH BARTON,  
A. L. WILLIAMS,  
W. E. ROBISON,  
JAS. T. HAMMOND.

EXHIBIT "A."

Salt Lake City, February 18, 1890.

*To Joint Committee, Legislative Assembly, R. C. Lund, Chairman:*

Sir:—We offer the Fort Cameron property, consisting of 160 acres of land with all buildings and improvements, for the sum of \$25,000.

We guarantee a good and perfect title with water rights to the property. The title of the land is now in the government, but under special act of Congress, the purchasers of the improvements have the refusal of the land when thrown into the market for sale.

In case of purchase we guarantee a good and perfect title.

JNO. R. MURDOCK,  
P. T. FARNSWORTH.

## CONSIDERATION OF COMMITTEE'S REPORT.

Read and referred to the Committees on Asylum for the Insane and Education.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 20, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day granted request for conference on Council substitute for H. F. No. 19, and has appointed Councilors C. C. Richards and Bryan as conferees on the part of the Council.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## SECOND READING OF BILLS.

H. F. No. 23, read second time by sections, amended and placed on the general file for third reading.

## THIRD READING OF BILLS.

H. F. No. 49, pending third reading, laid over for the day.

C. F. No. 25, pending third reading, re-committed to Committee on Judiciary.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 20, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day concurred in H. C. R. No. 13.

Very respectfully,  
FRANK J. CANNON.  
*Chief Clerk.*



Utah Legislature,  
Council Chamber,  
February 20, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 36, A Bill amending Section 4342 of the Compiled Laws of Utah of 1888, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO. 36.

A Bill amending Section 4342 of the Compiled Laws of Utah, 1888, relating to the giving of bonds by guardians.

Read the first time by title and referred to the Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
February 20, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 37, A Bill amending Section 3790 of the Compiled Laws of Utah of 1888, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO. 37.

A Bill amending Section 3790 of the Compiled Laws of Utah, 1888, relating to the trial of actions in justices' courts for forcible entry, for forcible detainer and unlawful detainer.

Read first time by its title and referred to the Committee on Judiciary.

THIRD READING OF BILLS (CONTINUED).

C. F. No. 23, A Bill providing for and regulating the Utah Territorial Library.



Read third time, amended, rejected.

Ayes — Bennion, Creer, Hammond, Johnson, Lowe, Lund, Porter, Russell, Robison, Sargent, Stewart, Williams —12.

Noes — Allen, Ferrin, Howell, Melville, Pierce, Reid, Thurman, Wood—8.

Absent—Ferry, Kimball, Smith—3.

H. F. No. 32, pending third reading, made special order for Wednesday, February 26, 1890.

H. F. No. 45, pending third reading, laid over for the day.

H. F. No. 53, A Bill to amend Sections 3142, 3143, 3144 and 3145 of the Compiled Laws of Utah, 1888, relating to the statute of limitation.

Read third time, passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—19.

Noes—0.

Absent—Ferry, Howell, Kimball, Smith—4.

Title read, amended and approved.

H. F. No. 54, A Bill for An Act to amend Section 2591 Compiled Laws of Utah of 1888, regulating marriage.

Read third time and passed.

Ayes — Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—0.

Absent—Ferry, Kimball, Smith—3.

Title read and approved.

#### COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
February 20, 1890.

*Hon. James Sharp, Speaker of the House of Representatives.*

Sir.—It having been represented to me by members of the House of Representatives, that a majority of the members desired the return of H. F. No. 10, entitled, "An Act amending Section 2202, and repealing Sections 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213 and 2214 of the

Compiled Laws of Utah, 1888, 'relating to branding and herding cattle,' and substituting in lieu of the sections repealed new sections to be numbered 2203, 2204, 2205, 2206, 2207, 2208 and 2209," for further consideration by the Legislative Assembly, in compliance with their wishes I herewith return the act.

I am, very respectfully,  
ARTHUR L. THOMAS, *Governor.*

#### CONSIDERATION OF COMMUNICATION.

Read, and with the accompanying H. F. No. 10, referred to the Committee on Live Stock.

#### MISCELLANEOUS BUSINESS.

Mr. Thurman moved that the Committee on Appropriations be instructed to prepare and present the general appropriation bill to this House not later than Friday, February 28, 1890. Carried.

On motion of Mr. Reid, House adjourned, at 4 p.m., until 2 p. m., February 21, 1890.

Benediction by the Chaplain.

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#### FORTIETH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Friday, February 21, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the thirty-ninth day read and approved.

Mr. Kimball moved that the Committee on Live Stock be instructed relative to their forthcoming report on H. F. No. 10.

Lost.

## REPORT OF STANDING COMMITTEES.

House of Representatives,  
February 21, 1890.

*Mr. Speaker:*

Your Committee on Public Health to whom was referred H. F. No. 48., relating to the befouling of water, herewith return the same with a recommendation that it be rejected.

Respectfully,  
RUSSELL, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted  
H. F. No. 48, A Bill to prevent the befouling of water.  
Read, rejected.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 21, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received the accompanying report from the Warden of the Utah Penitentiary, and the same is herewith forwarded for your information.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## REPORT OF WARDEN, UTAH PENITENTIARY.

Warden's Office,  
Salt Lake City, Feb. 20, 1890.

*To the Council and House of the Legislative Assembly of the Territory of Utah in Legislature Convened:*

Gentlemen.—I beg leave to make my report to your honorably body, as Warden of Utah Penitentiary. There has been no change in the department since my last report of January 26th, 1888.

I beg leave to refresh the minds of your honorable body by rehearsing a short account of some items pertaining to this department, which I trust will not be thought out of place or untimely at the present.

Having been an officer of the Utah Penitentiary for over twenty-five years, therefore I am somewhat acquainted with said institution. Some twelve or more years ago the United States Marshal Nelson took possession of the Utah Penitentiary, and the control thereof; at that time Hon. A. P. Rockwood was warden—I was one of the directors.

We had quite a number of Territorial convicts left without any safe place of keeping them. We at once conceived the idea of getting up some iron cages, we accordingly had made to order five cages, each cage sufficiently large to comfortably lodge four persons in each, then procured tents in which we placed the cages; this plan we found answered our purpose and answered well for warm weather; these we moved from place to place wherever we could get work for convict labor.

In the winter we procured a large adobie building on what is now known as the race-track near the Jordan river, situated in the Sixteenth Ward of Salt Lake City. In this place, by the use of stoves, we kept our prisoners comfortable through the cold weather.

The number of our prisoners grew less as their terms of imprisonment expired, at last a demand was made for the remaining prisoners by United States Marshal Nelson; we gave them up under protest. He also demanded all of the Territorial property in our possession to be given up to him which we objected to. A suit was planted in relation thereto by the Hon. A. P. Rockwood then warden. The United States Marshal then negotiated for a loan of some of the property, we lent him, to wit: the five iron cells or cages, one box cell, two iron wheelbarrows and a few other things; he gave his receipt for the same to be returned in good order in ten days notice on the order of the warden of Utah Penitentiary, which receipt I now hold.

I have loaned two of the cages to Salt Lake County, and last summer, 1889, the Salt Lake City Marshal requested the loan of two more of the iron cages for which I gave an order on the United States Marshal F. H. Dyer who promptly complied with my order. I now hold receipts for the four cages loaned, all to be promptly delivered up on my order. Thus the matter now stands. United States Marshal Nelson, when he made the demand for the remaining Territorial prisoners,



did not present any authority from the United States government or from any department thereof for said prisoners, no contract was ever entered into, to my knowledge, with the United States government or with the interior, or of any department whatever, to take or keep our Territorial prisoners.

An act of Congress says: Territorial prisoners may be kept in United States penitentiaries at Territorial cost on special arrangements; but to my knowledge no such arrangements have been made. This state of things have been permitted to pass along from year to year, and by fancy prices being charged for keeping our Territorial prisoners, a heavy bill has been run up against the Territory; the last figures that I saw made, the amount was over three hundred thousand dollars; this amount our former Governors have asked our Legislature to make some arrangements for its payment.

That sum must have accumulated up to the present time to near if not quite half a million dollars, and if a legislature can be procured which are of the same mind as the Governors who requested the payment of the above bill, a way will be readily found to liquidate that enormous debt by levying a special tax for that purpose which will make the taxpayer feel as though there had been some neglect which must rest somewhere.

Some twelve or more years ago, foreseeing that a thing of this kind might occur, the directors and warden suggested in our report to the Legislature the propriety of appointing a committee of three or more to select a proper site, and its probable cost for a Territorial penitentiary; the committee was appointed but no funds were appropriated to pay traveling or other contingent expenses, so the matter dropped. If the suggestions had been carried out, a sum of not less than two hundred thousand dollars would have been saved to the Territory.

I feel it a duty that I owe to your honorable body and to the taxpayers of our Territory, to thus bring to your notice the facts as they now exist. Statistics will show that the cost of keeping our Territorial prisoners by the United States has been more than double the amount of when kept by the Territory. It might be asked what is your opinion in relation to this enormous indebtedness? Will say as all was done on their part, with our utter protest, that in a court of justice that debt could not be collected, but I have thought in some special cases that justice was at a discount, and am still of the opinion that no bar be left down that would incite legislation,



and would therefore still recommend the same as has been recommended for the past twelve years or more by the directors and warden of Utah Penitentiary.

In conclusion will say that our Territorial Legislature placed me in my present position, and of seeing at least in part the mixed nature of the position, I would not accept and qualify without first applying to the best authority in the Territory, which I did and was told that it would be best to accept, which I did by filing bonds in the sum of ten thousand dollars, the Hon. H. S. Eldredge now deceased, and L. S. Hills, becoming my bondsmen, which was duly filed with the Territorial Auditor of Public Accounts.

Will now say that I still have in safe keeping the secretary containing the books, papers and records of the Utah Penitentiary, with a few other articles of small value, the same was reported two years ago, which however all occupies valuable room. I thought it but just and proper to ask a small amount to partly at least pay for rent; I asked for the insignificant sum of fifty dollars (\$50.00) per year; this sum being so very small, it was passed without any action by our last Legislature. The Territory is now indebted to me for the storage and safe-keeping of the property for the past four years; besides, I should have something as a salary, as you may direct, as much responsibility rests on this most important department. At least many would think so if we should be suddenly called upon to receive and take care of our Territorial prisoners with no provision provided for their care and safe keeping, which occurrence might occur at any time; better then at once prepare for such an emergency.

With much interest I await the action of your honorable body.

FREDERICK KESLER, SEN.,  
*Warden of Utah Penitentiary*

P. S. Press of business has delayed my report. F. K.

#### CONSIDERATION OF REPORT.

Subject matter referred to the Committee on Penitentiary and Reform School.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Kimball—H. F. No. 57, A Bill providing for a militia.

Read first time by title and referred to Committee on the Militia. Ordered printed.

SPECIAL ORDER OF THE DAY.

H. F. No. 50, pending third reading, recommitted to the Committee on Judiciary.

SECOND READING OF BILLS.

H. F. No. 56:

Read second time by sections and placed on the general file for third reading.

THIRD READING OF BILLS.

H. F. No. 49, A Bill to secure liens to mechanics and others, and to repeal all other acts and laws in relation thereto.

Read third time, amended. Passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Stewart, Thurman, Williams, Wood—19.

Noes—Sargent—1.

Absent—Ferry, Howell, Smith—3.

Title read and approved.

H. F. No. 45, pending third reading, laid over for the day.

H. F. No. 23, A Bill granting the power of veto to mayors and providing for a president of city councils and authorizing the mayor to appoint certain officers in cities.

Read third time, amended. Passed.

Ayes—Allen, Bennion, Creer, Ferrin, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Stewart, Thurman, Williams, Wood—19.

Noes—Hammond, Sargent—2.

Absent—Ferry, Smith—2.

Title read, amended and approved.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 21, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day received a communication from His Excellency the Governor, notifying the Council of his approval of C. F. No. 27, An Act amending Section 3388 of the Compiled Laws of Utah of 1888, relating to trial by referee.

Respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### MISCELLANEOUS BUSINESS.

Mr. Smith was excused for his absence of to-day, Feb. 20, 1890.

By Mr. Wood—A supplementary report of the Board of Directors of the Asylum for the Insane.

Referred without reading to the Committee on Asylum for the Insane.

Ordered printed with original report.

Mr. Creer moved that when the House adjourn it be until Monday, Feb. 24, 1890. Carried.

On motion of Mr. Williams, House adjourned, at 4 p. m., until Monday, 2 p. m., February 24, 1890.

Benediction by the Chaplain.

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#### FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
February 24, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the fortieth day read and approved.

#### PRESENTATION OF PETITIONS.

By Mr. Kimball—From the City Council of Ogden City,

asking for more definite boundary lines to be specified for said city.

Read and referred to the Committee on Municipal Corporations and Towns.

By Mr. Wood—From Alexander Robertson and ninety-six others, asking for a change of the time of holding the municipal election in Springville.

Referred without reading to the Committee on Municipal Corporations and Towns.

By Mr. Melville—From J. S. Giles and five hundred and twelve others, residents of Millard County, asking for an appropriation to assist said county in testing for artesian water.

Read and referred to the Committee on Agriculture and Irrigation.

By Mr. Wood—From Jasper Robertson and 261 others, residents of Emery County, asking for an appropriation to be used in repairing certain public roads in said county.

Read and referred to the Committee on Highways.

#### REPORTS OF STANDING COMMITTEES.

Committee Room,  
February 24th, 1890.

*Mr. Speaker :*

Your Committee on Claims and Public Accounts, to whom was referred the claim of Kelly & Co. for judgment records, minute books, and registers of actions, furnished the clerk of the First Judicial District Court at Ogden, amounting to the sum of \$275.00, find the claim to be correct, and recommend that the same be allowed and placed on the appropriation bill.

CREER, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriation instructed.

Committee Room,  
February 24th, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of Geo. D. Barnard & Co.,



for record and judgment books, docket book and document envelopes, amounting to \$83.75, having duly considered the same, recommend that the said amount be allowed and placed on the general appropriation bill.

CREER, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriation instructed.

Committee Room,  
February 24, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of the Deseret News Co., for an incorporation record, furnished the clerk of the Third Judicial District Court, amounting to \$15, find the claim to be correct, and recommend that the said amount be allowed and placed on the general appropriation bill.

CREER, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriations instructed.

Committee Room,  
February 24, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of the Deseret News Co., for witnesses' and jurors' blank certificates, and abstract blanks furnished court commissioners, amounting to \$32.25, have duly considered the same, and recommend that the said amount of \$32.25 be allowed and placed on the general appropriation bill.

CREER, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriation instructed.



Committee Room

February 24, 1890.

*Mr. Speaker:*

Your Committee on Judiciary, to whom was referred C. F. No. 25, "A Bill authorizing the estates of decedents and minors to be mortgaged or leased in certain cases," beg leave to report the same back with the following amendments, to wit: That wherever the word "minor" occurs in said bill, that the words "insane or incompetent person," be inserted after said word, and the word "or" be stricken out where it precedes the word "minor." That after the word "proceedings" on line 57 of Sec. 2, of the printed bill the words, "not of the substance thereof," be inserted, and the same words be inserted after the word "proceedings" on line 44 of Sec. 3 of the printed bill.

THURMAN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

Amendments to C. F. No. 25, read and adopted.

Bill as amended placed on the general file for third reading.

Representative Hall,  
February 24, 1890.*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C.F. No. 36, A Bill amending Section 4342 of the Compiled Laws of Utah of 1888, relating to probate procedure, recommend that the bill be put on its passage.

THURMAN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 36 filed for second reading.

Representative Hall,  
February 24, 1890.*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No. 37, A Bill amending Section 3790 of the Com-

piled Laws of Utah of 1888, relating to the trial of actions in justices' courts for forcible entry, forcible detainer and unlawful detainers, respectfully report the same back with amendments and recommend that the bill as amended be put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

• Amendments to C. F. No. 37, read and adopted. Bill as amended filed for second reading.

Representative Hall,  
February 24, 1890.

*Mr. Speaker:*

Your Committee on Judiciary, to whom was referred H. F. No. 6, A Bill to amend Section 2158, and H. F. No. 33, A Bill to amend Sections 2160, 2161 and 2169 of the Compiled Laws of Utah of 1888 relating to intoxicating liquors, and C. F. No. 8, A Bill making it a misdemeanor to give, sell or otherwise dispose of intoxicating drinks to habitual drunkards, herewith report the same back with a substitute incorporating the features of the three bills, and recommend that the substitute be adopted in lieu of said bills and be printed.

Respectfully,  
THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Substitute offered by committee for H. F. No. 6, H. F. No. 33, and C. F. No. 8, read, numbered H. F. No. 58, and adopted.

H. F. No. 58, A Bill to amend Sections 2158, 2160, 2161, and 2169, of the Compiled Laws of Utah, 1888, relating to intoxicating liquors, filed for second reading. Ordered printed.

H. F. No. 6, H. F. No. 33 and C. F. No. 8 rejected.

House of Representatives,  
February 24, 1890.

*Mr. Speaker:*

The Committee on Judiciary, to whom was recommitted

H. F. No. 50, A Bill to secure to ranchmen, tavern keepers and other persons liens on personal property, etc., respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 50, placed on general file for third reading.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 24, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. No. 43, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk*.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Kimball—H. F. No. 59, A Bill to amend Section 4773 of the Compiled Laws of Utah of 1888, relating to cruelty to animals.

Bill with accompanying petition, read and referred to the Committee on Judiciary.

By Mr. Pierce—H. F. No. 60, A Bill to amend Section 4165 of the Compiled Laws of 1888, relating to probate procedure.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Hammond—H. F. No. 61, A Bill to amend Section 2236 of the Compiled Laws of Utah of 1888, relating to division fences.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Pierce—H. F. No. 62, A Bill creating public administrators and defining their duties.

Read first time by its title, and referred to the Committee on Judiciary.

By Mr. Pierce—H. F. No. 63, A Bill requiring notaries

public to affix to acknowledgments the date of the expiration of their commissions.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Pierce—H. F. No. 64, A Bill to amend Sections 2024 and 2012 of the Compiled Laws of Utah of 1888, relating to revenue.

Read first time by its title and referred to the Committee on Judiciary.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 24, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 28 (substitute), A Bill amending Sections 3302 and 3303 and repealing Sections 3301 and 3304 of the Compiled Laws of Utah, 1888, relating to issuing injunctions, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. No. 28 (SUBSTITUTE.)

Read first time by its title and referred to Committee on Judiciary.

#### SECOND READING OF BILLS.

C. F. No. 36, read second time by sections and placed on the general file for third reading.

C. F. No. 37, A Bill amending Section 3790, Compiled Laws of Utah, 1888.

Read second time by sections.

Rules suspended—Ayes, 18; Noes, 0; Absent, 5.

Read third time and passed.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—Allen, Pierce,—2.

Absent—Ferry—1.

Title read and approved.

### THIRD READING OF BILLS.

H. F. No. 45, pending third reading, made special order for to-morrow, Feb. 25, 1890.

H. F. No. 56, A Bill to attach a portion of Sanpete County to Emery County.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes—Reid—1.

Absent—Ferry—1.

Title read and approved.

C. F. No. 25, A Bill authorizing the estates of decedents, minors, insane or incompetent persons, to be mortgaged or leased in certain cases.

Read third time, amended and passed.

Ayes—Bennion, Creer, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Smith, Stewart, Wood—16.

Noes—Allen, Ferrin, Pierce, Sargent, Williams—5.

Absent—Ferry, Thurman—2.

Title approved.

H. F. No. 50, A Bill to secure to ranchmen, tavern-keepers and other persons liens on personal property, and repeal all other laws in relation thereto.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Kimball, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Stewart, Thurman, Williams—15.

Noes—Hammond, Howell, Johnson, Lowe, Lund, Sargent—6.

Absent—Ferry, Wood—2.

Title approved.

### MISCELLANEOUS BUSINESS.

On motion of Mr. Creer, the House adjourned, at 4 p. m., until to-morrow, Feb. 25, at 2 p. m.

Benediction by the Chaplain.



## FORTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Tuesday, February 25, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the Chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the forty-third day read and approved.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 24, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 3 (substitute), and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. No. 3. (SUBSTITUTE).

A Bill amending Sections 2114, 2115 and 2116 of the Compiled Laws of Utah of 1888, providing for the destruction of certain wild animals and birds.

Read first time by its title and referred to the Committee on Agriculture and Irrigation.

## REPORTS OF STANDING COMMITTEES.

Representatives Hall,  
February 25, 1890.

*Mr. Speaker:*

Your Committee to whom was referred the petition of Jacob A. Rohner and 22 others, of Harmony, Washington County, praying that the boundary lines between said

county and Iron County, be so changed as to make Harmony a part of Iron County, beg leave to report that they have duly considered the same, and as they find no sufficient reason for the change proposed respectfully recommend that the prayer of the petitioners be not granted.

LUND, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Prayer of the petitioners not granted.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Smith—H. F. No. 65, A Bill to provide right of way and easements for the development of mines.

Read first time by its title and referred to the Committee on Judiciary.

#### SPECIAL ORDERS OF THE DAY.

H. F. No. 21, made special order for to-morrow, February 26, 1890.

H. F. No. 45, A Bill to amend Chapter 3, part four, of the Compiled Laws of Utah of 1888.

Pending third reading made special order for Feb. 26, 1890.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 25, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendment to C. F. No. 37, A Bill amending Section 3790, Compiled Laws of Utah, 1888, and requests a conference committee thereon. Messrs. Richards and Hall are appointed conferees on the part of the Council.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COMMUNICATION.

Conference Committee granted.

The speaker named Messrs. Thurman and Pierce as conferees on part of the House, on House amendments to C. F. No. 37.

Utah Legislature,  
Council Chamber,  
February 25, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments to C. F. No. 25, A Bill authorizing the estates of decedents and minors to be mortgaged or leased in certain cases, and requests conference committee thereon. Messrs. Richards and Booth are appointed conferees on the part of the Council.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COMMUNICATION.

Conference committee granted.

The speaker named Messrs. Kimball and Hammond as conferees on the part of the House on House amendments to C. F. No. 25.

## SECOND READING OF BILLS.

H. F. No. 58.

Read second time by sections, amended and placed on the general file for third reading.

## THIRD READING OF BILLS.

C. F. No. 36, A Bill amending Section 4342 of the Compiled Laws of Utah, 1888, relating to giving of bonds by guardian.

Read third time and amended. Rejected.

Ayes—Hammond, Kimball, Stewart—4.

Noes—Allen, Bennion, Creer, Ferrin, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Thurman, Williams, Wood—19.

Absent—Ferry—1.

## MISCELLANEOUS BUSINESS.

On motion of Mr. Howell, House adjourned, at 4 p. m. until 2 p. m. to-morrow, February 26, 1890.  
Benediction by the Chaplain.

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## FORTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Wednesday, February 26, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the forty-fourth day read and approved.

## PRESENTATION OF PETITIONS.

By Mr. Johnson—Claim of Wm. Ashton, ex-assessor and collector of Uintah County, Utah, for uncollected taxes for the year 1886, amount \$36.36.

Read and referred to the Committee on Claims and Public Accounts.

By Mr. Creer—From William Price and 120 others, residents of Utah and Juab counties, asking an appropriation of \$5,000 to be used in repairing certain public roads in said counties.

Referred without reading to the Committee on Highways.

By Mr. Creer—From B. Bachman, Jr., deputy clerk of the First District Court, asking an appropriation of \$275.00 to be used in buying 125 file cases for Territorial purposes.

Read and referred to the Committee on Appropriations.

## REPORTS OF STANDING COMMITTEES.

Representative Hall,  
February 26, 1890.

*Mr. Speaker:*

Your Committee to whom was referred "An Act"

amending Section 2202 and repealing Sections 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213 and 2214 of the Compiled Laws of Utah of 1888, relating to branding and herding cattle, and substituting in lieu of the sections repealed new sections to be numbered 2203, 2204, 2205, 2206, 2207, 2208 and 2209, most respectfully report that they have duly considered the same and report it back with one amendment, said amendment to be in form of a section to be numbered 2209, and recommend with said amendment, the bill for an act be put upon its passage.

JOHNSON, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendment to H. F. No. 10 proposed by committee.

Read and adopted.

Bill, as amended, filed for second reading.

Committee Room,  
House of Representatives,  
February 26, 1890.

*Mr. Speaker:*

Your Committee to whom was referred the substitute for Council File No. 3, A Bill amending Sections 2114, 2115 and 2116 of the Compiled Laws of Utah of 1888, providing for the destruction of certain wild birds and animals, after duly considering the same, respectfully recommend that said bill be put upon its passage.

Respectfully,

ROBISON, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 3 (substitute) filed for second reading.

Committee Room,  
House of Representatives,  
February 26, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to whom was referred a portion of the governor's message, recommending the creation of a Bureau of Statistics. And also



the letter of Mr. H. L. A. Culmer on the same subject, beg leave to report the same back with the accompanying bill, without recommendation, for the consideration of the House.

Respectfully,

ROBISON, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Accompanying bill filed for regular order.

House of Representatives,

February 26, 1890.

*Mr. Speaker:*

Your Committee on Judiciary, to whom was referred H. F. No. 9, A Bill amending Section 2349 of the Compiled Laws of Utah of 1888, and H. F. No. 52, A Bill amending said section, relating to railroad corporations, herewith report the same back with a substitute for said bills, and recommend that the substitute be adopted and passed.

Respectfully,

HAMMOND, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Substitute offered by committee for H. F. No. 9 and H. F. No. 52 read, adopted and numbered H. F. No. 66.

H. F. No. 66, A Bill amending Section 2349 of the Compiled Laws of Utah of 1888, relating to railroad corporations, filed for second reading.

Ordered printed.

H. F. No. 9 and H. F. No. 52 rejected.

Representative Hall,

February 26, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 60, A Bill to amend Section 4165, laws relating to probate procedure, respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 60 filed for second reading.

Representative Hall,  
February 20, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 61, A Bill to amend Sections 2236 of the Compiled Laws of Utah, relating to division fences, respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 61 filed for second reading.

House of Representatives,  
February 26, 1890.

*Mr. Speaker:*

Your Committee on the Judiciary, to whom was referred H. F. No. 62, A Bill creating public administrators and defining their duties, report back the same with amendments and recommend that the bill, when so amended be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Amendments offered by committee to H. F. No. 62, read, adopted and bill as amended filed for second reading.

Representative Hall,  
February 26, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 63, A Bill requiring notaries public to affix to acknowledgments the date their commissions expire, respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 63 filed for second reading.

Legislative Hall,  
February 26, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 64, A Bill to amend Sections 2024 and 2012, Compiled Laws of Utah of 1888, relating to revenue, respectfully report that inasmuch as the bill relates to the question of revenue, the committee respectfully recommend that the bill be referred to the Committee on Ways and Means for their consideration.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 64, referred to the Committee on Ways and Means.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 25, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the the Council has this day passed C. F. No. 35, A Bill amending an act providing for the incorporation of cities, approved March 8th, 1888, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. No. 35.

A Bill amending An Act providing for the incorporation of cities, approved March 8, 1888.

Read first time by its title and referred to the Committee on Municipal Corporations and Towns.

Utah Legislature,  
Council Chamber,  
February 25, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day amended C. F. No. 5 as recommended by His Excellency the Governor, has passed the same as amended, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. No. 5

Referred to the Committee on Private Corporations with accompanying Council communication.

Utah Legislature,  
Council Chamber,  
February 25, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 40, A Bill making sheep stealing grand larceny, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO. 40.

A Bill making sheep stealing grand larceny.

Read first time by its title and referred to the Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
February 25th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 41, A Bill providing for the custody of the records of the United States Commissioners, etc., in cases of vacancies.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO. 41,

A Bill providing for the custody of the records of United States Commissioners, etc.

Read first time by its title and referred to the Committee on Judiciary.

INTRODUCTION AND FIRST READING OF BILLS.

By the Committee on Agriculture and Irrigation—H. F. No. 67, A Bill creating the office of Territorial Statistician and defining his duties.

Read first time and filed for second reading.

Ordered printed.

By Mr. Howell—H. F. 68, A Bill amending Section 10 of the Compiled Laws of Utah of 1888, relating to the Territorial Treasurer.

Read first time and referred to the Committee on Ways and Means.

SPECIAL ORDER OF THE DAY.

H. F. No. 32, A Bill to prevent the waste of artesian or flowing water.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Howell, Johnson, Lowe, Lund, Porter, Pierce, Russell, Reid, Stewart, Thurman, Williams, Wood—16.

Noes—Kimball, Melville, Robison, Smith, Sargent, —5.

Absent—Ferry, Hammond—2.

Title read, amended and approved.

COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 26, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 31, A Bill supplementing and amending the charters, and defining, prescribing and regulating the powers, duties and government of cities of the first and second class, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*



## CONSIDERATION OF C. F. NO. 31.

A bill to amend charters and defining, prescribing and regulating the powers and duties of government of cities of first and second class.

Read first time by its title and referred to the Committee on Municipal Corporations and Towns.

Utah Legislature,  
Council Chamber,  
February 26, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted the report of Conference Committee on C. F. No. 25, and as amended in consonance therewith, has passed the same. The bill is herewith forwarded for your further action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

House of Representatives,  
February 26, 1890.

*Mr. Speaker:*

Your committee appointed to confer with a similar committee from the Council relative to the differences existing between the two houses in regard to the House amendments to C. F. No. 25, "A Bill authorizing the estates of decedents, minors, insane or incompetent persons to be mortgaged or leased in certain cases," beg leave to report that the Conference Committee have considered the difference and agreed to recommend to the House and Council that the House amendments with one exception be concurred in, and that the other amendment be not concurred in, but that the amendment herewith submitted and proposed by your Conference Committee be adopted, and then that the bill be passed as amended.

Respectfully,  
JAMES N. KIMBALL,  
J. T. HAMMOND,  
*Conferees on the part of the House.*

## CONSIDERATION OF REPORT.

Read and adopted.

Amendment offered by committee adopted.

C. F. No. 25, as amended, passed.

Ayes—Bennion, Creer, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Stewart, Thurman, Wood—16.

Noes—Allen, Ferrin, Pierce, Smith, Sargent, Williams, —6.

Absent—Ferry—1.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 26, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day adopted the report of Conference Committee on C. F. No. 37, and as amended in consonance therewith, has passed the same. The bill is herewith forwarded for your further consideration.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Mr. Thurman, chairman of House Committee of Conference on C. F. No. 37, made verbal report that the joint committee had agreed to recommend to both houses, the adoption of House amendment to said bill, and also that the following words be added to Section 1:

If there be a justice's court in such adjoining precinct, and if not then in any justice's court within the county in which such precinct is situated.

#### CONSIDERATION OF REPORT.

Adopted.

Amendment to C. F. No. 37 recommended by committee read and adopted, and bill passed as amended.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Wood—20.

Noes—Allen, Wood—2.

Absent—Ferry—1.

## SPECIAL ORDERS OF THE DAY (CONTINUED.)

H. F. No. 21, A Bill to provide for the encouragement of the manufacture of sugar and paying a bounty therefor.

Read third time, amended and passed.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Smith, Thurman, Williams—16.

Noes—Allen, Kimball, Pierce, Stewart, Wood—5.

Absent—Ferry, Sargent—2.

Title approved.

H. F. No. 45, A Bill to amend Chapter 3, Part 4, of the Compiled Laws of Utah, 1888.

Mr. Reid moved to strike out the enacting clause. Carried.

Ayes—Creer, Ferrin, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Reid, Robison, Sargent, Stewart—13.

Noes—Allen, Bennion, Kimball, Pierce, Russell, Smith, Thurman, Williams, Wood—9.

Absent—Ferry—1.

## SECOND READING OF BILLS.

H. F. No. 10, read second time, rules suspended—ayes, 19.

Read the third time.

Bill passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—19.

Noes—Kimball, Pierce, Smith—3.

Absent—Ferry—1.

Title approved.

C. F. No. 3, (substitute) read second time by sections, amended and placed on the general file for third reading.

H. F. No. 60, A Bill amending Section 4165 of the Compiled Laws of Utah of 1888, relating to probate procedure.

Rules suspended ayes, 20.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Ferry—1.

Title amended and approved.

H. F. No. 61.

Read second time by sections, amended and placed on the general file for third reading.

H. F. No. 62.

Read second time by sections, amended and placed on the general file for third reading.

H. F. No. 63, A Bill requiring notaries public to affix to acknowledgments the date of the expiration of their commissions.

Read second time by sections.

Rules suspended, ayes 20.

Read third time, passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Ferry—1.

Title approved.

#### THIRD READING OF BILLS.

H. F. No. 58, A Bill to amend Sections 2158, 2160, 2161, 2169, of the Compiled Laws of Utah of 1888, relating to intoxicating liquors.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams. Wood—21.

Noes—Pierce—1.

Absent—Ferry—1.

Title read, amended and approved.

#### MISCELLANEOUS BUSINESS.

On motion of Mr. Creer, House adjourned, at 5:10 p.m. p. m. to-morrow, February 27th, 1890.

Benediction by the Chaplain.

## FORTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Thursday, February 27, 1890.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain

Journal of the forty-fifth day read and approved.

Mr. Kimball was excused for the day.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 27, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 10 (substitute), and the same is herewith returned to you for your action on said amendments.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COUNCIL AMENDMENT TO H. F. NO. 10.

Read, and on motion House concurred.

Bill read third time and passed as amended by the Council.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lund, Melville, Porter, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—Pierce—1.

Absent—Kimball, Lowe—2.

Bill referred to Enrollment Committee.



## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 27, 1890.

*Mr Speaker :*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 60, A Bill amending Section 4165 relating to probate procedure, and the same is herewith returned to you for your action on said amendments.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF AMENDMENTS TO H. F. NO. 60.

Council amendments concurred in. H. F. No. 60 read third time and passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Kimball—1.

Title approved.

Bill referred to Enrollment Committee.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 27, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 63, A Bill requiring notaries public to affix to acknowledgments the dates of the expiration of their commissions, and the same is herewith forwarded to you for your action on said amendments.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COJNCIL AMENDMENTS TO H. F. No. 63.

Council amendments concurred in.

H. F. No. 63, read third time and passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Kimball—1.

Title approved.

Referred to Enrollment Committee.

## PRESENTATION OF PETITIONS.

By Mr. Reid—From A. E. Merriam, collector of Sanpete County, asking relief in the sum of \$34.55 uncollectible taxes for the years 1888 and 1889.

Referred without reading to the Committee on Claims and Public Accounts.

By Mr. Robison—From the County Court of Beaver County, asking an appropriation of \$3,000 to be used in repairing certain public roads in said county.

Referred without reading to the Committee on Highways.

By Mr. Creer—From William H. King, ex-collector of Millard County, asking relief in the sum of \$128.00, uncollected taxes on transitory herds.

Referred without reading to the Committee on Claims and Public Accounts.

## REPORTS OF STANDING COMMITTEES.

Representative Hall,  
February 27, 1890.

*Mr. Speaker:*

Your Committee on "Public Health," to whom was referred petition of the people of Uintah County, asking for relief, and accompanying document, respectfully return the same without recommendation, for the consideration of the House.

Respectfully,  
RUSSELL, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

Accompanying report read.

Petition and accompanying documents laid on the table.

Representatives Hall,  
February 27, 1890.

*Mr. Speaker:*

The Committee on Ways and Means, to whom was referred H. F. No. 68, A Bill amending Section 10 of the Compiled Laws of Utah of 1888, relating to the Territorial treasurer, respectfully recommend that the bill be put on its passage.

WILLIAMS, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 68, filed for second reading.

Ordered printed.

House of Representatives,  
February 27, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred H. F. No. 55, A Bill to encourage the manufacture of native or Portland cements in Utah Territory, beg leave to report the same back with amendments and recommend that with such amendments the same be put upon its passage.

Respectfully,  
HAMMOND, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

Amendment to H. F. No. 55, read and adopted. Bill as amended filed for second reading.

Representative Hall,  
February 27, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 59, to amend Section 4773 of the Com-

piled Laws of Utah of 1888, relating to cruelty to animals, respectfully recommend that the bill be rejected.

THURMAN, *Chairman*.

CONSIDERATION OF REPORT.

Read and with H. F. No. 59, laid on the table.

Representative Hall,

February 27, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No. 40, A Bill making sheep stealing grand larceny, respectfully report a substitute therefor and recommend that the substitute be adopted, and that the original bill be rejected.

THURMAN, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted

Substitute to C. F. No. 40, A Bill making sheep stealing grand larceny.

Read and adopted.

Placed on file for second reading.

Ordered printed.

Original C. F. No. 40 rejected.

Committee Room

February 27, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No. 41, "A Bill relating to the custody of the records of the commissioners in cases of vacancies, respectfully report a substitute therefor and recommend that the substitute be put on its passage and that the original bill be rejected.

THURMAN, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Original and substitute to C. F. No. 41 read.

Substitute adopted.

Filed for second reading.

Ordered printed.

Original C. F. No. 41 rejected.

House of Representatives,  
February 27, 1890.

*Mr. Speaker:*

The Committee on Municipal Corporations and Towns, to whom was referred the petition of Alex. Robertson, et al., requesting a change in the time of holding the municipal elections of Springville, respectfully report that in view of the act of Congress forbidding Territories from altering or amending the charters of incorporated cities by special laws, the committee respectfully recommend that the petition be not granted.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Prayer of the petitioners not granted.

#### MAJORITY REPORT.

House of Representatives,  
February 27, 1890.

*Mr. Speaker:*

Your Committee on Judiciary, to whom was referred H. F. No. 4 and H. F. No. 37, "Bills to regulate the practice of medicine," herewith return the same and recommend that the same be rejected.

THURMAN, *Chairman*.

#### MINORITY REPORT.

House of Representatives,  
February 27, 1890.

*Mr. Speaker;*

We the undersigned members of your Committee on Judiciary disagree with the majority report on H. F. No. 37, "A Bill to regulate the practice of medicine." We recommend that the same be put upon its passage for the reason, as we think, that such a law would be of great benefit to the public.

KIMBALL.  
PIERCE.



## CONSIDERATION OF REPORTS.

Read. Majority report on H. F. No. 37 adopted and said bill rejected.

Report on H. F. No. 4 adopted and said bill rejected.

House of Representatives,  
Salt Lake City,  
February 27, 1890.

*Mr. Speaker:*

The communication to the Hon. James N. Kimball, from the city attorney of Ogden, respecting the indefinite location of the boundaries of said city, referred to this committee has been duly considered. The laws of the United States forbid special legislation amending the charters of incorporated cities in the Territories. The committee, however, believe that many incorporated cities of the Territory of Utah are in the same condition as Ogden, respecting boundary lines, and will therefore at an early day present a bill upon that subject applicable to all incorporated cities. The committee therefore return the communication and recommend that it be laid on the table.

THURMAN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Bennion—H. F. No. 69, “A Bill to repeal section 2087 of the Compiled Laws of Utah, 1888.”

Read first time by its title and referred to the Committee on Highways.

By Mr. Ferry—H. F. No. 70, “A Bill to amend Section 219 of the Compiled Laws of Utah, 1888,” relating to the removal of County Seats.

Read first time and referred to the Committee on Counties.

By Mr. Robison, H. F. No. 71, A Bill to provide for the compensation of counsel in criminal cases.

Read first time and referred to Committee on Judiciary.

## COMMUNICATION FROM THE TERRITORIAL AUDITOR.

Territory of Utah,  
Auditor's office,  
Salt Lake City, Feb. 27, 1890

*Hon. James Sharp, Speaker, and Members of the Legislative Assembly:*

Gentlemen.—I have the honor to hand you two statements for books, etc., furnished the Territorial library, and respectfully request that an appropriation be made to cover same.

Respectfully,  
N. W. CLAYTON,  
Auditor.

## CONSIDERATION OF COMMUNICATION.

Read and with accompanying documents referred to the Committee on Claims and Public Accounts.

## SECOND READING OF BILLS.

H. F. No. 66 (substitute):

Read second time by sections, amended and placed on the general file for third reading.

H. F. No. 67:

Read second time by sections, amended, and placed on the general file for third reading.

H. F. No. 55, A Bill to encourage the manufacture of native or Portland cements in Utah Territory.

Read second time by sections, amended.

Rules suspended. Ayes—17.

Read third time. Passed.

Ayes—Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—Allen, Pierce—2.

Absent—Kimball,—1.

Title approved.

## MEMORIAL TO CONGRESS.

By Mr. Allen, (by consent) —Memorial to Congress urging that the amount heretofore asked for the erection of a Federal building in Salt Lake City be not reduced.

Read and referred to the Committee on Memorials to Congress, with Mr. Allen associated.

House of Representatives,  
February 27, 1890.

*Mr. Speaker:*

Your Committee on Memorials to Congress, to whom was referred H. M. No. 3, have considered the same and herewith report a substitute and ask that it be adopted.

PIERCE, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

#### HOUSE MEMORIAL NO. 3.

*To the Senate and House of Representatives of the United States in Congress assembled:*

Your memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully represent:

*That whereas* it has come to the knowledge of the people of this Territory, that it is now proposed by your committees to reduce the amount heretofore asked for, to erect a Federal building in Salt Lake City, and,

*Whereas*, in the opinion of your memorialists any such reduction would be prejudicial to the public interests, since the erection of any building for Federal puposes in said city upon a smaller scale than the one contemplated in the request heretofore made to your honorable bodies, would be insufficient for the needs and purposes aforesaid and not adequate to the present, much less the futue demands of this rapidly growing Territory.

Your memorialists, therefore, respectfully urge that the amount for the purposes aforesaid be not reduced and that the sum of five hundred thousand dollars be appropriated for said purpose and your memorialists will every pray.

#### CONSIDERATION OF MEMORIAL (SUBSTITUTE.)

Read and unanimously adopted.

#### THIRD READING OF BILLS.

C. F. No. 3, "A Bill amending Sections 2114, 2115, and

2116 of the Compiled Laws of Utah, 1888, relating to the destruction of certain wild animals and birds.

Read third time, amended and passed.

Ayes—Bennion, Creer, Ferrin, Ferry, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Williams, Wood—19.

Noes—0.

Absent—Allen, Hammond, Kimball, Thurman—4.

Title amended and approved.

H. F. No. 61, A Bill to amend Section 2236 of the Compiled Laws of Utah of 1888, relating to division fences.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Williams, Wood—21.

Noes—0.

Absent—Kimball, Thurman—2.

Title approved.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 27, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted House Memorial No. 3, with amendments, and the same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF AMENDMENT.

On motion House concurred.

Memorial, as amended, referred to the Committee on Enrollment.

#### THIRD READING OF BILLS (CONTINUED).

H. F. No. 62, A Bill creating public administrators, and defining their duties.

Read third time, amended and passed.

Ayes—Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes—Allen—1.

Absent—Kimball—1.

Title approved.

#### MISCELLANEOUS BUSINESS.

Mr. Thurman made verbal report on H. F. No. 65, recommending that said bill be referred to the Committee on Mines and Mining.

Report adopted, and H. F. No. 65 referred to the Committee on Mines and Mining.

On motion of Mr. Johnson, the petition from the residents of Uintah County, laid on the table to-day, was taken up; made special order for Monday, March 3rd, 1890.

On motion of Mr. Pierce, House adjourned, at 5:15 p.m., until 2 p. m. to-morrow, February 28th, 1890.

Benediction by the Chaplain.

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#### FORTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Friday, February 28, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the Chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the forty-sixth day read and approved.

#### PRESENTATION OF PETITIONS.

By Mr Stewart—From John Rider and 98 others, residents of Kane County, asking an appropriation of \$5000 to be used in repairing roads and building bridges in said county.



Referred without reading to the Committee on Highways.

REPORTS OF STANDING COMMITTEES.

*Majority Report.*

Committee Room,  
February 28, 1890.

*Mr. Speaker:*

Your Committee on Highways, to whom was referred H. F. No. 69, "A Bill repealing Section 2087 of the Compiled Laws of Utah of 1888," report that they have had said bill under consideration, and are of the opinion that it would be unwise to repeal the section as contemplated in the bill, therefore they return the same herewith and recommend that it be rejected.

MELVILLE,  
WM. LOWE,  
JOHNSON,  
S. R. THURMAN.

*Minority Report.*

Committee Room,  
February 28, 1890.

As a minority of the Committee on Highways, not concurring with the majority on bill for the repeal of Section 2087, Compiled Laws of Utah, I recommend its passage.

E. P. FERRY,  
Summit County.

CONSIDERATION OF REPORTS.

Read and majority report adopted.

H. F. No. 69, A Bill to amend 2087 of the Compiled Laws of Utah, 1888.

Read and rejected.

House of Representatives,  
Salt Lake City,  
February 28, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred C. F. No. 5, with the amendments suggested by the

executive, beg leave to report the same back and recommend that the amendments be concurred in, and that said bill be further amended by striking out all of Section 14, and with such amendments the same be passed.

Respectfully,

HAMMOND, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Council amendments, as suggested by the Governor, to C. F. No. 5 read and concurred in.

House amendments read and adopted.

C. F. No. 5, as amended, read second time.

Rules suspended; ayes, 18.

Read third time and passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Kimball—1.

Title approved.

Representative Hall,  
February 28, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred Council substitute for H. F. No. 41, relating to the adoption of children, respectfully recommend that the substitute be adopted and put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Council substitute to H. F. No. 41, read second time by sections.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Kimball—1.

Title approved.

Bill referred to the Committee on Enrollment.

Legislative Hall,  
February 28, 1890.

*Mr. Speaker:*

Your Committee on Municipal Corporations and Towns, to whom was referred C. F. No. 22, third substitute, relating to the organization of towns, etc., beg leave to return the same with the following amendments:

1st—That Section 1821 S. 3 of said bill be stricken out.

2nd—That after what is numbered Subdivision 12 of said bill, the following be inserted:

“Subdivision 13 of said Section 1824 is amended to read as follows:

“13—To lay out, construct, open and keep in repair canals, water ditches or water pipes for irrigation, domestic or other use, for the inhabitants of such town, and to annually assess and collect a water tax for said purposes upon the real property in said town benefitted thereby.”

That Section 1825 S. 7 of said bill be amended by striking out the word “unsuccessful” at the end of the sixth line of said section.

With these amendments your committee recommend that said bill be put upon its passed.

Respectfully,

THURMAN, *Chairman*

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments offered by the committee to C. F. No. 22 (third substitute).

Read and adopted.

Bill as amended filed for second reading.

Representative Hall,  
February 28, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred substitute for C. F. No. 28, relating to injunctions, respectfully recommend that said substitute bill be put on its passage.

THURMAN, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 28 (substitute) filed for second reading.

Representative Hall,  
February 28, 1890.

*Mr. Speaker:*

The Committee on the Municipal Corporations, etc. to whom was referred H. F. 25, relating to the power of incorporated towns, recommend that inasmuch as the points covered by said bill are provided for in substitute for C. F. No. 22, said bill be rejected.

THURMAN, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 25 rejected.

Representative Hall,  
February 28, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 71, relating to compensation of counsel in criminal cases, respectfully recommend that the bill be rejected.

THURMAN, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 71 rejected.

Committee Room,  
February 28, 1890.

*Mr. Speaker:*

Your Committee on Appropriations, who were requested to prepare and present The General Appropriation Bill on the 28th inst., respectfully report that, owing to pending claims not yet reported upon, and the amounts necessary for the support of public institutions not having been ascertained, we request that the time of presenting said bill be extended to March 4th, 1890.

HOWELL, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

Time extended until Tuesday, March 4th, 1890.

Legislative Hall,  
February 28, 1890.

*Mr. Speaker:*

The Committee on Ways and Means, to whom was referred the report of the Territorial Board of Equalization, herewith report on a part thereof by reporting a bill amending the revenue act as recommended by said board, and recommend that said bill be put upon its passage.

Respectfully,  
A.L. WILLIAMS, *Chairman.*

CONSIDERATION OF REPORT.

Read and adopted.

Accompanying bill filed for regular order.

Legislative Hall,  
February 28, 1890.

*Mr. Speaker:*

Your Committee on Ways and Means, to whom was referred H. F. No. 34, A Bill for an Act to amend Section 2009 of the Compiled Laws of Utah of 1888, respectfully report that they herewith return the same with recommendation that the bill be rejected, as the feature of the bill is included in a different form in the amended revenue bill submitted by your committee to-day.

WILLIAMS, *Chairman.*

CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 34 rejected.

Legislative Hall,  
February 28, 1890.

*Mr. Speaker:*

The Ways and Means Committee, to whom was referred H. F. No. 64, A Bill to amend Section 2024 and 2012 of the Compiled Laws of Utah of 1888, relating to revenue, beg leave to report that they have considered the same and herewith return with recommendation that the bill be rejected as the feature of the bill is included in a different form in the new revenue bill introduced by your Committee today.

Respectfully,  
WILLIAMS, *Chairman.*



## CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 64 rejected.

Committee Room,  
February 27, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that House Memorial No. 3, relating to Congressional appropriation for Federal building in Salt Lake City, has been correctly enrolled, signed by the Speaker of the House and President of the Council, and at 5:45 p. m. was forwarded to His Excellency the Governor for his action thereon.

Respectfully etc.,

BENNION, *Chairman.*

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 28, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day accepted the accompanying invitation of the president of the board of trustees of the Agricultural College to visit that institution; but the Council decides to make said visit at some later date to be mutually agreed upon by the president of the board and the Assembly.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Salt Lake City,  
February 27, 1890.

*Hon. F. S. Richards, President of the Council:*

Sir.—The Board of Trustees for the Agricultural College of Utah extend an invitation to the members and officers of the Legislative Assembly to visit the Agricultural College at Logan, on Saturday, March 1st, 1890. Arrangements have been made with the R.R. company for a special

train to leave at any hour on Saturday that the Assembly may choose.

Yours respectfully,  
 ARTHUR L. THOMAS,  
*President of Board.*  
 Pr. C. F. Olsen.

Invitation accepted time of visit to be determined hereafter.

#### REPORT OF SELECT COMMITTEE.

Representatives Hall,  
 February 28, 1890.

*Mr. Speaker:*

The Special Joint Committee, consisting of the Committee on the Asylum for the Insane and the Committee on Education, to whom was referred the recommendation of the Special Joint Committee of both houses relative to the purchase of Fort Cameron for the purpose of establishing at that point a branch of the Territorial Insane Asylum, respectfully report that the committee have thoroughly investigated the subject referred to them as aforesaid, and in view of the information derived from the supplemental report of the board of directors of said asylum and from other sources, showing that by a change in the plan or design of the asylum, it can be made to accommodate from three hundred to three hundred and fifty patients. Your committee are of the opinion that it would be unwise and injudicious and not in the interest of the Territory or of the asylum to separate the same and establish a branch asylum. The committee therefore recommend that the Territory do not purchase said property for such purpose.

The committee further report that in their opinion it would not be advisable at the present time to remove the Deaf Mute Institute from Salt Lake City to Fort Cameron.

Respectfully,

L. S. WOOD,  
*Chairman of Committee of Asylum for the Insane.*  
 C. E. ALLEN.

*Chairman Committee on Education.*

#### CONSIDERATION OF REPORT.

Read, and unanimously adopted.

## INTRODUCTION AND FIRST READING OF BILLS.

By the Committee on Ways and Means—H. F. No. 72, A Bill providing revenue for the Territory of Utah, and the several counties thereof.

Read first time by its title, filed for second reading and ordered printed.

By Mr. Allen—H. F. No. 73, A Bill to amend Section 570 in Chapter 1 of the code of civil procedure, Compiled Laws of Utah.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Thurman—H. F. No. 74, A Bill to provide for the incorporation and managements of trusts and guaranty associations.

Read first time by its title and referred to the Committee on Private Corporations.

## SECOND READING OF BILLS.

H- F. No. 68, A Bill amending Section 10 of the Compiled Laws of Utah of 1888, relating to the Territorial treasurer.

Read second time by sections.

Rules suspended—Ayes, 19.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Kimball—1.

Title read and approved.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 28, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the that the Council has this day adopted C. C. R. No. 9, which is herewith forwarded for your action.

Very respectfully,

FRANK J. CANNON.

*Chief Clerk.*

## C. C. R. No. 9:

*Resolved*, The House concurring, that a joint session of the two Houses, be held at 7:30 p. m. of Wednesday, the fifth day of March proximo, to receive and consider the plans which have been procured by the Capitol Grounds Commission for the proposed Territorial capitol.

## CONSIDERATION OF C. C. R. NO. 9.

Read and adopted.

Utah Legislature,  
Council Chamber,  
February 28, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted C. C. R. No. 10, which is herewith forwarded for your action.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## C. C. R. No. 10:

*Resolved*, the House concurring, that a joint committee consisting of two members of the Council and three members of the House, be appointed to investigate as to the title and ownership of the "State House" and grounds situated at Fillmore City, in Millard County, Utah, and at an early date make recommendation as to any action which may be necessary to be taken in the premises by the Legislative Assembly.

## CONSIDERATION OF C. C. R. NO. 10.

Read and adopted.

Speaker names Messrs. Allen, Howell and Melville, as said committee on the part of the House.

## SECOND READING OF BILLS (CONTINUED).

C. F. No. 40 (substitute), A Bill to amend Section 4643 of the Compiled Laws of Utah, 1888, relating to the penal code.

Read second time by sections.

Rules suspended, ayes 19.

Read third time and rejected.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Johnson, Lowe, Pierce, Smith, Stewart, Thurman, Wood—12.

Noes—Hammond, Howell, Lund, Melville, Porter, Russell, Reid, Robison, Sargent, Williams—10.

Absent—Kimball—1.

C. F. No. 41 (substitute), read second time by sections, amended and placed on the general file for third reading.

C. F. No. 22, pending second reading, ordered printed.

C. F. No. 28 (substitute).

Read second time by sections, and placed on the general file for third reading.

### THIRD READING OF BILLS.

H. F. No. 66, Bill to amend Section 2349 of the Compiled Laws of Utah of 1888, relating to railroad corporations.

Read third time, amended and passed.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Lowe, Lund, Porter, Russell, Reid, Robison, Stewart, Thurman—14.

Noes—Ferry, Pierce, Smith, Sargent, Williams—5.

Absent—Allen, Kimball, Melville, Wood—4.

Title approved.

H. F. No. 67.

Read third time. Rejected.

Ayes—Allen, Ferry, Johnson, Pierce, Russell, Robison, Smith, Thurman, Williams—9.

Noes—Bennion, Creer, Ferrin, Hammond, Howell, Lowe, Lund, Melville, Porter, Reid, Sargent, Stewart, Wood—13.

Absent—Kimball—1.

### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
February 28, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C.



F. No. 5, and has passed the same as amended. Said bill has been referred to the Council Committee on Enrollment.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

MISCELLANEOUS BUSINESS.

H. F. No. 59, A Bill to amend Section 4773 of the Compiled Laws of Utah, 1888, relating to cruelty to animals, which was tabled February 27, 1890, taken up and rejected.

Committee Room,  
February 28, 1890.

*Mr. Speaker:*

Your Committee on Enrollment, respectfully report that the following bills have been correctly enrolled, signed by the Speaker of the House and President of the Council, and this day were forwarded to the Governor for executive action thereon, viz.: H. F. No. 10 (substitute), A Bill amending Section 2202 and repealing Sections 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213 and 2214 of the Compiled Laws of Utah of 1888, relating to branding and herding cattle, and substituting in lieu of the sections repealed new sections, etc., etc.

H. F. No. 60, "A Bill amending Section 4165 of the Compiled Laws of Utah of 1888, relating to probate procedure," and

H. F. No. 63, "A Bill requiring notaries public to affix to acknowledgements the dates of the expiration of their commissions."

Respectfully,

BENNION, *Chairman.*

Mr. Kimball excused for his absence of to-day, February 28.

Mr. Smith, Mr. Howell and Mr. Allen excused until Monday, March 3d.

On motion of Mr. Williams, House adjourned, at 5 p. m., until to-morrow, at 2 p. m., March 1, 1890.

Benediction by the Chaplain.

## FORTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Saturday, March 1, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the forty-seventh day read and approved.

Mr. Lowe excused for the day.

## PRESENTATION OF PETITIONS.

By Mr. Wood—From citizens of Mapletown, Utah County, relating to the running at large of swine.

Referred without reading to the Committee on Live Stock.

By Mr. Melville—Claims of Thomas C. Callister, ex-collector of Millard County, for uncollected taxes for the year 1884, amounts \$5.79 and \$63.82.

Referred without reading to the Committee on Claims and Public Accounts.

## REPORTS OF STANDING COMMITTEES.

Representatives Hall,  
March 1, 1890.

*Mr. Speaker:*

Your Committee to whom was referred H. F. No. 70, A Bill amending Section 219 of the Compiled Laws of Utah of 1888, in relation to the removal of county seats, beg leave to report that they have duly considered the same and recommend that it be put upon its passage.

Respectfully,

LUND, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 70 filed for second reading.  
Ordered printed.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Porter—H. F. No. 75, A Bill to amend Section 2092 of the Compiled Laws of Utah, 1888.

Read the first time by its title and referred to the Committee on Highways.

By Mr. Ferrin—H. F. No. 76, A Bill relating to injuries to persons and property.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Reid—H. F. No. 77, A Bill to prevent the running at large of bulls, and providing for damage done by the same.

Read first time by its title and referred to the Committee on Live Stock with communication accompanying.

By Mr. Thurman—H. F. No. 78, A Bill to amend Section 90 of the Compiled Laws of Utah, 1888, relating to compensation of probate judges.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Hammond—H. F. No. 79, A Bill to amend Section 2411 of the Compiled Laws of Utah, 1888, relating to irrigating companies.

Read first time by its title and referred to the Committee on Agriculture and Irrigation.

#### MOTIONS AND RESOLUTIONS.

Mr. Sargent moved that the action by which H. F. No. 67 was lost be reconsidered. Carried.

H. F. No. 67 referred to the Committee on Territorial Library pending third reading.

#### THIRD READING OF BILLS.

C. F. No. 41 (House substitute), A Bill providing for the custody of the records of Commissioners of Supreme and District Courts in cases of vacancies.

Read third time and passed.

Ayes—Creer, Ferrin, Ferry, Hammond, Johnson, Kimball, Lund, Melville, Porter, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—17.

Noes—Pierce—1.

Absent—Allen, Bennion, Howell, Lowe, Smith—5.

Title amended and approved.

C. F. No. 28, A Bill amending Sections 3302 and 3303, and repealing Sections 3301 and 3304 of the Compiled Laws of Utah, 1888, relating to injunctions.

Read third time and passed.

Ayes—Bennion, Creer, Ferrin, Ferry, Hammond, Johnson, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Stewart, Thurman, Williams, Wood—18.

Noes—0.

Absent—Allen, Howell, Lowe, Smith, Sargent—5.

Title amended and approved.

Committee Room,  
March 1, 1890.

*Mr. Speaker :*

Your Committee on Enrollment respectfully report that H. F. No. 41 (Council substitute) "A Bill amending Sections 2576, 2577, 2578 and 2582 of the Compiled Laws of Utah of 1888 relating to the adoption of children," has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day, at 2:30 p. m., forwarded to the Governor for his action thereon.

BENNION, *Chairman.*

#### MISCELLANEOUS BUSINESS.

Messrs. Smith and Porter were excused until Tuesday, March 4th, 1890.

On motion of Mr. Creer, the House adjourned, at 2:40 p. m., until Monday, March 3d, 1890, at 2 p. m.

Benediction by the Chaplain.

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#### FIFTIETH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Monday, March 3, 1890.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain

Journal of the forty-eighth day read and approved.

#### PRESENTATION OF PETITIONS.

By Mr. Johnson—From Thomas J. Watson and 52 others residents of Wasatch County, asking an appropriation of \$1500 to repair certain public roads in said county.

Referred without reading to the Committee on Highways.

#### REPORTS OF STANDING COMMITTEES.

Committee Room,  
March 3, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of the History Co., of San Francisco, amounting to \$30. and also the claim of J. H. Parry & Co., amounting to \$26.75, for books, etc. furnished the territorial library, having considered the same, recommend that the said claims be allowed, and the amount of \$56.75 be placed on the general appropriation bill.

CREER, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriations instructed.

Committee Room,  
March 3, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the petition of A. E. Merriam, collector for Sanpete County, asking a relief in the amount of \$34.55 for uncollectible taxes for the years 1888 and 1889, having considered said petition, recommend the same be allowed and the amount of \$34.55 be placed on the general appropriation bill for said purpose.

CREER, *Chairman.*



## CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriation instructed.

Committee Room,  
March 3, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the petition of William Ashton, Ex-Assessor and Collector of Uintah County, asking for a relief of \$36.36 for uncollected taxes for the years 1886, 1887 and 1888, respectfully report adversely upon said petition, for the reason that there is apparent negligence on the part of said petitioner, and further the said claim is not duly authenticated.

CREER, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

Claim disallowed.

House of Representatives,  
Salt Lake City,  
March 3, 1890.

*Mr. Speaker:*

Your Committee on Mines and Mining, to whom was referred H. F. No. 65, "A Bill to provide right of way and easements for the development of mines," would respectfully report that they have had the same under consideration, and return the same with amendments, and unanimously recommend that the bill do pass as amended.

E. P. FERRY, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

Amendments offered by committee, adopted.

H. F. No. 65, filed for second reading.

Legislative Hall,  
March 3, 1890.

*Mr. Speaker:*

Your Committee on the Municipal Corporations, to

whom was referred C. F. No. 35, "A Bill amending an act providing for the incorporation of cities, approved March 8, 1888," beg leave to return the same and recommend that it be put upon its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 35 filed for second reading.

Representative Hall,  
March 3, 1890.

*Mr. Speaker:*

The Committee on Live Stock, to whom was referred H. F. No. 77, relating to bulls remaining at large. Believing that the law of trespass covers the points desired in said bill, therefore recommend that it be rejected.

Respectfully,

JOHNSON, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 77, A Bill to prevent the running at large of bulls, etc., read and rejected.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 3, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed with amendments, H. F. No. 61, A Bill to amend Section 2236 of the Compiled Laws of Utah, relating to division fences, and the same is herewith forwarded to you for your action on said amendments.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk*.

#### CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. No. 61.

Read and concurred in.

Bill read third time and passed as amended by Council.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes—0.

Absent—Porter, Smith—2.

Bill referred to the Committee on Enrollment.

Utah Legislature,  
Council Chamber,  
March 1, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 28, and has sent same to Committee on Enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 3, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 29, A Bill to provide for the organization of mutual fire insurance companies, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. No. 29.

A Bill to provide for the organization of mutual fire insurance companies.

Read first time by its title and referred to the Committee on Private Corporations.

Utah Legislature,  
Council Chamber,  
March 3, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day rejected H. F. No. 21, A Bill to provide for the encouragement of the manufacture of sugar, and paying a bounty therefor, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Kimball—H. F. No. 80, A Bill providing for the bringing and defending civil actions by poor persons without payment of costs.

Read first time by its title, and referred to the Committee on Judiciary.

By Mr. Russell—H. F. No. 81, A Bill in the interest of improved husbandry.

Read the first time by its title, and referred to the Committee on Agriculture and Irrigation.

By Mr. Pierce—H. F. No. 82, A Bill to amend Sections 2515 and 2518 of the Compiled Laws of Utah of 1888, relating to banking associations and to add to said act a section to be known as "2519 a."

Read first time by its title and referred to the Committee on Private Corporations.

By Mr. Pierce—H. F. No. 83, A Bill to provide for making a record of the descent of the real estate of deceased persons.

Read first time by its title and referred to Committee on Judiciary.

By Mr. Pierce—H. F. No. 84, A Bill requiring notaries public to record their commission with the county recorder of the county court.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Pierce—H. F. No. 85, A Bill to provide for the release of contracts affecting real estate.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Pierce—H. F. No. 86, A Bill relating to claims against estates of decedents.

Read first time by its title and referred to the Committee on judiciary.

By Mr. Sargent—H. F. No. 87, A Bill providing for the

appointment of a Territorial librarian and in relation to the Territorial library.

Read the first time by its title and referred to the Committee on Territorial Library.

By Mr. Sargent—H. F. No. 88, A Bill in relation to the transportation of coal over railroads.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Hammond—H. F. No. 89, A Bill amending Sections 2268, 2272, 2273 and 2277, of the Compiled Laws of Utah of 1888, relating to private corporations

Read first time by its title and referred to the Committee on Private Corporations.

#### SPECIAL ORDER OF THE DAY.

Petition from the residents of Uintah County asking for relief in the sum of \$1,866.80 expenses incurred during quarantine.

Mr. Pierce moved that the sum of \$933.40 be appropriated for the relief of Uintah County. Carried.

Committee on Appropriations instructed.

#### SECOND READING OF BILLS.

C. F. No. 22.

Read second time by sections, amended and placed on the general file for third reading.

H. F. No. 72.

Read second time by sections, as far as Section 30.

On motion of Mr. Pierce, House adjourned, at 5:20 p.m. until 10 a. m. to-morrow, March 4th, 1890.

Benediction by the Chaplain.

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#### FIFTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Tuesday, March 4th, 1890.

10 a. m.

House met pursuant to adjournment.

The Speaker in the Chair.



Roll call—quorum present.

Prayer by the Chaplain.

Journal of the fiftieth day read and approved.

SECOND READING OF BILLS (CONTINUED.)

H. F. No. 72, beginning at Section 30. Read second time, amended and placed on the general file for third reading.

H. F. No. 70, A Bill "to amend Section 219 of the Compiled Laws of Utah of 1888, relating to the removal of county seats. Read second time by sections. Amended.

Rules suspended ayes; 17.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Howell, Johnson, Kimball, Lund, Melville, Pierce, Russell, Smith, Thurman, Williams. Wood—16.

Noes—Reid, Robison, Sargent, Stewart—4.

Absent—Hammond, Lowe, Porter—3.

- Title approved.

H. F. No. 65, read second time by sections, amended and placed on general file for third reading.

C. F. No. 35, read second time by sections, amended as far as Chapter 2.

House took recess at 12 o'clock noon until 2 p.m. this day.

2 p. m.

The speaker in the chair.

Second reading of C. F. No. 35, continued from chapter 2. Amended and placed on the general file for third reading.

COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 4, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amend-

mients to C. F. No. 3, and requests a conference committee thereon, naming Messrs. Olsen and Seegmiller as Council's conferees.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COMMUNICATION.

Conference Committee granted.

The speaker named as conferees on the part of the House, Messrs. Reid and Williams.

Utah Legislature,  
Council Chamber,  
March 4, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 43, A Bill providing for the punishment of persons who shall obtain food, lodging or other accommodation at any hotel, boarding or eating house, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. NO. 43.

A Bill "providing for the punishment of persons who shall fraudulently obtain food, lodgings or other accommodations at any hotel, inn, boarding or eating house."

Read first time by its title and referred to the Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
March 4, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day rejected H. F. No. 12, A Bill to provide for the assessing and collecting of taxes on transient stock, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 4, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted C. M. No. 2, and the same is herewith forwarded for you action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

*To the Senate and House of Representatives in Congress assembled:*

We, your memorialists, the Governor and the Legislative Assembly of the Territory of Utah, respectfully represent that there is urgent and increasing need of a government building at Ogden, Utah, to accommodate the Federal court, the post office, the United States marshal's office, the quartermaster's office, and the various other government interests centered in that enterprising and important city; wherefore, your memorialists respectfully ask that an appropriation of two hundred and fifty thousand dollars be made for the purpose of constructing said building, and your memorialists will ever pray.

#### CONSIDERATION OF C. M. No. 2.

Read, and as was also a communication from A. H. Nelson, President of the Chamber of Commerce, Ogden City, relating to the aforesaid memorial and referred to the Committee on Memorials to Congress.

#### THIRD READING OF BILLS.

C. F. No. 22 (third substitute) made special order for to-morrow March 5, 1890, pending third reading.

#### PRESENTATION OF PETITIONS.

By Mr. Lund—From Robert Blain and 300 others, residents of Sanpete County, relating to road between Mount Pleasant, Sanpete County and Huntington, Emery County, and asking \$1,500 for the construction thereof.

Read and referred to the Committee on Highways.

By Mr. Smith—A memorial to Congress asking that a district of country lying near the head of Big Cottonwood Canyon, be granted the Territory of Utah, to be set apart as a public park.

Read and referred to the Committee on Memorials to Congress.

## REPORTS OF STANDING COMMITTEES.

House of Representatives,  
March 4, 1890.

*Mr. Speaker:*

Your Committee on Memorials to Congress, to whom was referred C. M. No. 2, report the same back, and recommend that it be adopted. The communication referred with said memorial is herewith returned

PIERCE, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

C. M No. 2 read and adopted unanimously.

Committee Room,  
March 4, 1890.

*Mr. Speaker:*

Your committee to whom was referred H. F. No. 75, "A Bill to amend Sec. 2092 of the Compiled Laws of Utah of 1888, in relation to highways," respectfully report that after careful consideration of the same, they recommend that it be placed upon its passage.

Respectfully,  
MELVILLE, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted

H. F. No. 75 filed for second reading.

Utah Legislature,  
Salt Lake City, March 4, 1890.

*Mr. Speaker:*

Your Committee to whom was referred H. F. No. 67, A Bill "creating the office of Territorial statistician," beg



leave to report the same back with amendments, and recommend that with such amendments it be put upon its passage.

SARGENT, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments offered by the committee read and adopted.

H. F. No. 67 placed on the general file for third reading.

Representative Hall,  
March 3rd, 1890.

*Mr. Speaker:*

Your Committee to whom was referred petition No. 19, from A. N. Bjerrigaard and six others, residents of Willow Creek, Sanpete County, praying that the boundaries between said county and Sevier county be so changed as to include a small strip of land, now belonging to Sevier county, in Sanpete county, beg leave to report that they have considered the same and recommend that the prayer of the petitioners be granted to the extent specified in a bill which we herewith submit and ask that it be put upon its passage.

Respectfully,  
LUND, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Accompanying bill filed for regular order.

Representative Hall,  
March 4, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 76, relating to injuries to persons and property, respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.



H. F. No. 76 filed for second reading.

Representative Hall,  
March 4, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 78, relating to compensation of probate judges, respectfully report that they herewith present a substitute for said bill, and recommend that the substitute be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Substitute and original bill read.

Substitute adopted.

Original bill rejected, and H. F. No. 78 (substitute) filed for second reading. Ordered printed.

Committee Room,  
March 4, 1890.

*Mr. Speaker:*

Your Committee on Live Stock, to whom was referred petition of J. B. Watters and Chas. E. Mahnstrom, asking that law be enacted to prevent swine from running at large, believing that there is a bill now before the House covering the points desired, therefore recommend that it be not granted.

Respectfully,  
JOHNSON, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Prayer of the petitioners not granted.

Committee Room,  
March 3, 1890.

*Mr. Speaker:*

Your Committee on Live Stock, to whom was referred A Bill relating to the protection of stock raisers, beg leave to report the same and recommend that it be put upon its passage, as amended.

JOHNSON, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

Amendment read and adopted.

H. F. No. 39 as amended filed for second reading.

Committee Room,  
March 4, 1890.

*Mr. Speaker:*

Your Committee on Appropriations herewith return all claims reported on favorably by the Committee on Claims, and respectfully report that the several amounts have been duly inserted in the General Appropriation Bill.

HOWELL, *Chairman.*

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 4, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 11, A Bill providing for the collection of damages done by trespassing animals, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. NO. 11.

A Bill "providing for the collection of damages done by trespassing animals and disposing of estrays."

Read first time by its title and referred to the Committee on Judiciary.

## REPORTS OF SPECIAL COMMITTEES.

Salt Lake City,  
March 3rd, 1890.

*To the Honorable the Governor and Legislative Assembly of the Territory of Utah:*

The committee appointed by an act of the Governor and Legislative Assembly, approved January 19th, 1888, to compile and distribute the laws of Utah, respectfully report that in pursuance of the provisions of said act, immediately after its approval, commenced the work of compilation and to aid them therein employed such professional assistance as appeared to the committee best adapted to the accomplishment of the work.

The committee employed the Hon. J. G. Sutherland, W. C. Hall and James T. Hammond at a fixed and agreed compensation of twenty-four hundred dollars for their services, which action of the committee was reported to the two houses of the last Legislature, and by them ratified and approved.

The act providing for the compilation contemplated that the committee, if possible, should complete the same and report the work, on or before March 1st, 1888, but finding it impracticable so to do the committee continued its labors together with those employed to assist them for several days after the expiration of the session of 1888.

Upon the completion of the work of compilation and arrangement of the laws in suitable form for publication, the committee daily advertised for bids upon the work of printing and binding, and published the same in the *Evening News*, *Salt Lake Herald* and *Salt Lake Tribune*. In response to said advertisements there were three bids only, to-wit:

The Deseret News Company, the Tribune Company, and H. Pembroke, of Salt Lake City. After a careful investigation of the bids the committee awarded the work to Mr. Pembroke, believing his to be the lowest and best bid submitted to the committee.

The committee employed the services of J. G. Sutherland to index the laws as compiled and read the proofs and for said services paid him the sum of \$800. This sum was in addition to his compensation in the work of compilation.

The committee gave all the time and attention to the work that was deemed necessary in view of the character of assistance employed by them, and so far as the compilation and arrangements of subjects are concerned, feel justified in asserting that the work is remarkably thorough and correct.

After the work was printed and most of the volumes bound, the committee, upon investigation, discovered so many mistakes and omissions in the printed volumes that they deemed it advisable to thoroughly revise the work with a view to correcting the same before distributing it as the law provided. To this work of reviewing the committee gave their personal attention, and thereby devoted more time and consequently incurred more expense than was originally contemplated. The corrections made by the committee are published in the volume to which they belong, and unfortunately form no inconsiderable portion of the volume.

It became a serious question with the committee whether, in view of the errors and omissions, the work should or should not be accepted; and under the circumstances, had it not been for the fact that the compilation was so greatly needed by the public and seemed to be imperatively demanded, even in its imperfect condition, the committee would undoubtedly have rejected the work. Such as it is, we present it to you with the explanation herein contained. Notwithstanding its imperfections, we believe it contains all the laws of the Territory in force at the present time, as well as the laws of the United States applicable to this Territory, which feature of the compilation we deem specially commendable.

The committee had printed three thousand sets of the work and placed the same in the hands of the Auditor of Public Accounts for distribution, as provided by the act authorizing the compilation.

The committee fixed no special rate of compensation for their services, and have no claim to make therefor. Each member received what was considered sufficient to fairly cover his personal expenses while engaged in the work with perhaps partial recompense for his services.

The committee respectfully submit this, the report of their labors and recommend that the compilation of the laws of 1888 be adopted and approved.

Before the close of the present session the committee will present a complete financial statement with vouchers in detail, and for the time being will state gene ally as follows :

Paid Pembroke for printing and binding	- - - -	\$7,630 00
Paid Sutherland, Hall and Hammond, compiling	- - - -	2,462 00
Paid Sutherland, indexing and proof reading	- - - -	800 00
Paid committee on compilation, expenses and compensation		875 00
Advertising for bids. printing, etc.	- - - -	22 50
E. T. Sprague, assisting in reviewing part of work	- - - -	35 00
N. W. Clayton, distributing laws	- - - -	175 50
Total disbursement		<hr/> \$12,000 00

Respectfully submitted,  
S. R. THURMAN,  
Chairman.

#### CONSIDERATION OF REPORT.

Read and referred to the Committee on Judiciary.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 4, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 46, A Bill creating Grand County, prescribing its boundaries and filling county offices, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. NO. 46,

A Bill creating Grand County, prescribing its boundaries and filling county offices.

Read first time by its title and referred to the Committee on Counties.

#### INTRODUCTION AND FIRST READING OF BILLS.

By the Committee on Counties, H. F. No. 90, A Bill



changing the boundaries between Sanpete and Emery Counties.

Read first time, filed for second reading and ordered printed.

By the Committee on Appropriations, H. F. No. 91, A Bill making appropriations for public purposes.

Read first time, filed for second reading and ordered printed.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 4, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed H. F. No. 56, (substitute,) A Bill to amend Section 76, S. 1, of the Compiled Laws of Utah, relating to the boundaries of Emery County, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COUNCIL SUBSTITUTE TO H. F. NO. 56.

A Bill to amend Section 76, S. 1, of the Compiled Laws of Utah, 1888, relating to the bounding of Emery County.

Read first time and referred to the Committee on Counties.

#### SECOND READING OF BILLS.

H. F. No. 75, A Bill to amend Section 2092, of the Compiled Laws of Utah, 1888, relating to highways.

Read second time.

Rules suspended. Ayes—18.

Read third time, amended, and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Lowe—1.



Title amended and approved.

H. F. No. 76:

Read second time by sections, amended, and d on  
the general file for third reading.

Ordered printed.

H. F. No. 39.

Read second time by sections, and placed on the general  
file for third reading.

#### COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
February 27, 1890.

*Hon. James Sharp, Speaker of the House of Representatives.*

Sir—I have this day approved and filed in the office of the Secretary of the Territory House Memorial No. 3, "Respecting an appropriation for a public building at Salt Lake City, Utah."

Certified copies of the memorial will be forwarded to the Senate and House of Representatives at Washington, D. C.

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

#### MISCELLANEOUS BUSINESS.

Mr. Hammond moved to reconsider the vote by which House Substitute to C. F. No. 40 was lost. Carried.

House Substitute to C. F. No. 40, A Bill making sheep-stealing grand larceny.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Pierce, Russell, Robison, Stewart, Thurman, Williams, Wood—19.

Noes—Porter, Reid, Sargent—3.

Absent—Smith—1.

Title approved.

Committee Room,  
March 4, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that H. F. No. 61, A Bill to amend Section 2236 of the Compiled

Laws of Utah of 1888, relating to division fences, has been correctly enrolled, signed by the Speaker of the House and President of the Council, was this day forwarded to His Excellency the Governor, for official action thereon.

Respectfully,

BENNION, *Chairman*.

On motion of Mr. Allen, House adjourned at 5 p.m., until 10 a. m. to-morrow, March 5th, 1890.

Benediction by the Chaplain.

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## FIFTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Wednesday, March 5, 1890.

10 a. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the fifty-first day read and approved.

### REPORTS OF STANDING COMMITTEES.

House of Representatives,  
March 4, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to whom was referred H. F. No. 79, A Bill to amend Section 2411 of the Compiled Laws of Utah, of 1888, "relating to Irrigation Companies," beg leave to report the bill back and recommend that it be put upon its passage.

Respectfully,

ROBISON, *Chairman*.

### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 79 filed for second reading.

House of Representatives,  
March 5, 1890.

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred C. F. No. 43, providing for punishment of persons who shall obtain food and lodgings from hotels, inns and boardinghouses, etc., respectfully recommend that the bill be amended by striking out Section 2, and that the bill as amended be put on its passage.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 43, as amended by committee, read, adopted and placed on file for second reading.

#### SPECIAL ORDER OF THE DAY.

H. F. No. 22 (3rd substitute), A Bill amending Sections 1824, 1825, 1826 and 1828 of the Compiled Laws of Utah, 1888, relating to the organization of towns and enacting new sections.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams and Wood—23.

Noes—0.

Absent—0.

Title read and approved.

#### SECOND READING OF BILLS.

H. F. No. 79, A Bill to amend Section 2411 of the Compiled Laws of Utah of 1888, relating to irrigating companies.

Read second time by sections.

Rules suspended—Ayes, 20.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Russell—1.

Title read and approved.

COMMUNICATION FROM GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 1, 1890,

*Hon. James Sharp, Speaker of the House:*

Sir.—I have this day approved and filed in the office of the Secretary of the Territory, H. F. No. 60, entitled “An Act amending Section 4165 of the Compiled Laws of Utah, 1888, relating to probate procedure.”

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 4, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 5, with amendment as suggested by His Excellency, the Governor, and the same is herewith forwarded for your action on said amendment.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL COMMUNICATION.

C. F. No. 5, A Bill for an act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association.

Bill read third time and passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes—0.

Absent—Ferry, Russell,—2.

Title approved.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 4, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 42, A Bill amending Sections 1902, 1903, 1907 and 1908 of the Compiled Laws of Utah, of 1888, and adding a new section to be known as 1911 a S. 22, and the same is herewith forwarded for your action thereon.

Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. No. 42.

A Bill amending Sections 1902, 1903, 1907 and 1908 of the Compiled Laws of Utah, of 1888, and adding a new section to be known as 1911 a S. 22. Relating to reform schools.

Read first time and referred to the Committee on Penitentiary and Reform School.

## SECOND READING OF BILLS (CONTINUED).

C. F. No. 43, A Bill "For the persecution of carpet baggers," read second time—amended.

Rules suspended.—Ayes 18.

Bill read third time and passed.

Ayes—Allen, Bennion, Ferry, Howell, Johnson, Kimball, Lowe, Lund, Melville, Reid, Smith, Stewart, Williams, Wood—14.

Noes—Creer, Ferrin, Hammond, Porter, Pierce, Russell, Robison, Sargent, Thurman—9.

Absent—0.

Title amended and approved.

Mr. Howell moved that the vote by which C. F. No. 43 was passed, be reconsidered. Carried.

Bill read third time and rejected.

Ayes—Allen, Bennion, Johnson, Kimball, Lund, Melville, Pierce, Reid, Smith, Stewart, Williams, Wood—12.

Noes—Creer, Ferrin, Ferry, Hammond, Howell, Lowe, Porter, Russell, Robison, Sargent, Thurman—11.

Absent—0.



## THIRD READING OF BILLS.

H. F. No. 76, A Bill relating to injuries to persons and property.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Sargent, Stewart, Williams, Wood—20.

Noes—0.

Absent—Howell, Russell, Thurman—3.

Title read, amended and approved.

H. F. No. 72, A Bill to provide revenue for the Territory of Utah and the several counties thereof.

Read third time and amended as far as Section 15.

House took recess, at 12:20 p. m., until 2 p. m. this day.

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2 p. m.

House resumed session.

The Speaker in the chair.

Third reading of H. F. No. 72 continued, beginning with Section 15. Amended.

Made special order for to-morrow, March 6th, 1890.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 4, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. N. 54 (Council substitute for C. F. No. 24, H. F. No. 1 and H. F. No. 2), A Bill to provide for a uniform system of free schools throughout Utah Territory, and the same is herewith forwarded for your action thereon. H. F. Nos. 1 and 2 are also returned herewith.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. NO. 54.

A Bill to provide for a uniform system of free schools throughout Utah Territory.

Read the first time by its title and with H. F. Nos. 1 and 2, referred to the Committee on Education.

C. F. No. 35. Read third time, amended as far as chapter IV, Sec. 5, pending further action.

Recommitted to the Committee on Municipal Corporations and Towns.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 5, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. No. 70, A Bill to amend Section 219 of the Compiled Laws of Utah, relating to the removal of county seats, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 5, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed House Substitute for C. F. No. 40, A Bill to amend Section 4646 of the Compiled Laws of Utah of 1888, relating to the penal code, and the same has been sent to the Council Committee on Enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## THIRD READING OF BILLS (CONTINUED).

H. F. No. 65, A Bill to provide right of way and easements for the development of mines.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond,

Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Williams, Wood—22.

Noes—Thurman—1.

Absent—0.

Title approved.

Mr. Smith excused, at 3:30 p.m., for the remainder of the day.

H. F. No. 67, A Bill creating a bureau of statistics.

Read third time, amended and passed.

Ayes—Allen, Creer, Ferrin, Ferry, Johnson, Kimball, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart—14.

Noes—Howell, Lund, Williams, Wood—4.

Absent—Bennion, Hammond, Lowe, Smith, Thurman—5.

Title amended and approved.

H. F. No. 39, A Bill relating to the protection of stock raisers.

Read third time, rejected.

Ayes—Allen, Bennion, Ferrin, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Stewart, Williams—12.

Noes—Creer, Ferry, Hammond, Howell, Johnson, Kimball, Pierce, Sargent, Thurman, Wood—10.

Absent—Smith—1.

#### MISCELLANEOUS BUSINESS.

On motion of Mr. Ferry, Mr. Lowe excused for his absence today and the day previous.

Utah Legislature,  
Council Chamber,  
March 5, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in the House amendments to C. F. No. 22, and the bill has been passed as amended, and referred to the Committee on Enrollment.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### SECOND READING OF BILLS (BY CONSENT).

H. F. No. 90, A Bill attaching a part of Sevier County to Sanpete County.

Read second time by sections.

Rules suspended—Ayes, 19.

Bill read third time and passed

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams. Wood—22.

Noes—0.

Absent—Smith—1.

Title approved.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 5, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. No. 32, A Bill to prevent the waste of artesian or flowing water, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### SECOND READING OF BILLS (CONTINUED) BY CONSENT.

H. F. No. 78 (Substitute), A Bill to amend Section 90 of the Compiled Laws of Utah of 1888, relating to compensation of probate judges. Read second time by sections. Amended.

Rules suspended, ayes 16.

Bill read third time, amended and passed.

Ayes—Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Reid, Robison, Sargent, Stewart, Thurman—15.

Noes—Allen, Bennion, Ferry, Pierce, Russell, Williams, Wood—7.

Absent—Smith—1.

Title approved.

Committee Room,  
March 5th, 1890.

*Mr. Speaker:*

Your Committee on Elections, to whom was referred H. F. No. 3, A Bill providing for printing and distributing



ballots at the public expense, and to regulate voting at territorial and city elections, beg to report that in the opinion of your committee, the bill to meet conditions and requirements other than exists at the present time in this Territory would be commendable, but under existing circumstances we deem it improper to adopt such a measure, and therefore would recommend that the bill be rejected.

CREER, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 3, A Bill for an act to provide for printing and distributing ballots at the public expense and to regulate voting at territorial and city elections.

Rejected on roll call.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Lowe, Lund, Porter, Russell, Reid, Robison, Sargent, Stewart, Wood—15.

Noes—Allen, Ferry, Kimball, Pierce, Williams—5.

Absent—Melville, Smith, Thurman—3.

By Mr. Thurman—Memorial to Congress having reference to the passage of a bill now pending in the Senate of the United States, relating to a deep water harbor at Galveston, Texas.

#### CONSIDERATION OF MEMORIAL.

Read and referred to the Committee on Memorials to Congress.

#### COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 3, 1890

*Hon. James Sharp, Speaker of the House.*

Sir.—I have this day approved and filed in the office of the secretary of the Territory H. F. No. 10, entitled "An Act amending Section 2202 and repealing Sections 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213 and 2214 of the Compiled Laws of Utah of 1888, 'relating to branding and herding cattle,' and substituting in lieu of the sections repealed, new sections to be numbered 2203, 2204, 2205, 2206, 2207, 2208, 2209 and 2210;" also H. F. No. 27, entitled "An Act to amend Section 2825, Compiled



Laws of Utah, 1888, pertaining to rules and regulations under the townsite act.”

I am, very respectfully,  
ARTHUR L. THOMAS,  
Governor.

On motion of Mr. Allen, House adjourned at 4:25 p. m. until 2 p. m. to-morrow, March 6, 1890.  
Benediction by the Chaplain.

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### JOINT SESSION.

REPRESENTATIVES HALL,  
Salt Lake City,  
March 5, 1890.

7.30 p. m.

Pursuant to previous arrangement, the Assembly met in joint session.

President of the Council presiding.

Roll of the Council called, quorum present.

Roll of the House called, quorum present.

The president stated that the purpose of holding a joint session was to receive and consider the plans which have been procured by the Capitol Grounds Commission for the proposed territorial capitol.

Report of the Board of the Commissioners on Capitol Grounds was read.

An excerpt was read from report of Architect E. L. T. Harrison, employed by said commission to examine the plans submitted and report in detail the advantages of each plan submitted as per report of commission aforesaid.

On motion of Mr. C. C. Richards, the courtesy of the floor was extended to the commissioners.

Mr. Jas. Sharp, member of said commission, briefly stated the object of the joint session, as also making explanations in relation to the official acts of said commission during the past two years.

On motion of Mr. C. C. Richards, the subject matter of adoption of plans submitted was referred to the Committee

on Capitol Grounds of the Council, and the House Committee on Ways and Means, with instructions to report their recommendation on same to the Assembly.

## RESOLUTION.

By Mr. Ferry:

*Resolved*, That the action of the Capitol Commission in offering a reward of \$500 for the best plans offered for the Capitol building be fully approved.

Adopted.

On motion of Mr. Hall, at 8 : 20 p.m., the joint session dissolved.

## FIFTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Thursday, March 6th, 1890.

p. m.

House met pursuant to adjournment.

The Speaker in the Chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the fifty-second day approved.

## PRESENTATION OF PETITIONS.

By Mr. Melville—From Jos. A. Lyman for uncollected taxes for the year 1889; amount \$150.56.

Read and referred to the Committee on Claims and Public Accounts.

## REPORTS OF STANDING COMMITTEES.

Representatives Hall,  
Salt Lake City,  
March 6, 1890.

Mr. Speaker:

Your Committee on Penitentiary and Reform School,

to whom was referred that part of His Excellency the Governor's message, relating to the establishment of a House of Correction and C. F. No. 42, "A Bill amending Sections 1902 and 1903 of the Compiled Laws of Utah of 1888, and adding a new section to be known as Section 1911 S. 22, relating to Reform School," beg leave to report that they have considered both said message and said bill.

And while they recognize the necessity for such an institution as the Governor recommends, they do not deem it expedient for the Territory at this time, to undertake the erection of such an institution, owing to the fact that the Territorial revenue is limited.

Your committee are also of the opinion that the provisions of said Council File No. 42, meet the recommendations of the Governor as nearly as it is possible to do so at the present time. And your committee respectfully return said bill herewith with amendments and recommend that said amendments be adopted, and that said bill when so amended be put upon its passage.

Respectfully,

KIMBALL, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments offered by committee to C. F. No. 42 read and adopted.

Bill as amended filed for second reading.

Representatives Hall,

March 6, 1890.

*Mr. Speaker:*

Your Committee to whom was referred C. F. No. 46, A Bill creating Grand County, beg leave to report that they have duly considered the same, and recommend that it be put upon its passage.

Respectfully,

LUND, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 46 filed for second reading.

Representatives Hall,  
March 6, 1890.

*Mr. Speaker:*

Your committee, to whom was referred substitute for H. F. No 56, A Bill to amend Section 76 S. 1, of the Compiled Laws of Utah of 1888, defining the boundaries of Emery County, beg leave to report that they have duly considered the same and recommend that it be put upon its passage.

Respectfully,  
LUND, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 56 (Council substitute), read and adopted.

Read second and third time by title and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—Reid—1.

Title approved.

Bill referred to the Committee on Enrollment.

Representative Hall,  
March 6, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred the report of the committee on compilation of the laws, respectfully report that we have considered the same, and believing that said compilation should be ratified and adopted, herewith present a resolution for that purpose and recommend its adoption.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Accompanying H. J. R. No. 3:

A resolution approving and adopting the Compiled Laws of Utah, of 1888.

*Resolved, by the Governor and Legislative Assembly of the Territory of Utah:* That the Compiled Laws of Utah, of 1888, as prepared and compiled by the committee appointed



pursuant to the act of the Governor and Legislative Assembly passed at the twenty-eighth session, together with the amendments made thereto at this session of the Legislative Assembly, be and the same are hereby approved and adopted: *Provided*, That this approval and adoption shall not be held or construed to be a repeal of any of the original acts or laws included in said Compiled Laws; but said original laws and acts shall control, whenever there is a difference between said acts or laws and said Compiled Laws; *and provided further*, That any acts or laws included in said Compiled Laws that have heretofore been repealed shall not be held or construed to be revived or re-enacted by this approval and adoption of said compilation.

Read first time.

Rules suspended—Ayes, 20.

Read second and third time, and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—23.

Noes—0.

Title approved.

Representative Hall,  
March 6, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 86, A Bill relating to claims against estates of decedents, respectfully recommend that said bill be rejected.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 86 rejected.

Representative Hall,  
March 6, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 84, A Bill requiring notaries public to record their commissions, etc., respectfully recommend that the bill be rejected.

THURMAN, *Chairman*.



## CONSIDERATION OF REPORT.

Read and adopted.  
H. F. No. 84, rejected.

Representative Hall,  
March 6, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. 85, A Bill to provide for the release of contracts affecting real estates, respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.  
H. F. No. 85 filed for second reading.

Representative Hall  
March 6, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 83, to provide for making a record of the descent of the real estate of deceased persons, respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.  
H. F. No. 83, filed for second reading.

Representative Hall,  
March 6, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. 80, A Bill providing for the bringing and defending civil actions by poor persons without payment of costs, respectfully recommend that the bill be rejected.

THURMAN, *Chairman.*

Read and adopted.  
H. F. No. 80 rejected.

Representative Hall,  
March 6, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred

C. J. R. No. 2, a resolution authorizing and distributing fourth and fifth volume Utah reports, respectfully report a substitute therefor and recommend that the substitute be put on its passage.

THURMAN, *Chairman*

CONSIDERATION OF REPORT.

Read and adopted.

C. J. R. No. 2 (substitute):

A resolution authorizing the Territorial Auditor of Public Accounts, to purchase and distribute one hundred copies each of volumes four and five of the Utah reports.

Section 1. *Resolved by the Governor and Legislative Assembly of the Territory of Utah:*

That the Territorial Auditor of Public Accounts is hereby authorized to purchase one hundred copies each of volumes four and five of the Utah reports and exchange one of each of said volumes with each of the States and Territories of the Union, and deliver one of each of said volumes to each of the following named public officers for the use of said offices, respectively, to wit: The county clerk of each county, the United States district attorney, the Governor and secretary of the Territory, the chief justice and associate justices of the Supreme Court, and the remainder of said volumes to be retained by said auditor for the use and benefit of the members of the Legislature during any session thereof.

Section 2. That the sum of one thousand (\$1000.00) or so much thereof as may be necessary for the purchase of said books, is hereby appropriated for said purpose out of any money in the treasury of the Territory not otherwise appropriated.

Read and adopted.

Rules suspended—ayes 19.

Resolution read second and third times, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes—0.

Absent—Hammond, Howell—2.

Title approved.

Utah Legislature,  
Salt Lake City,  
March 6, 1890.

*Mr. Speaker:*

Your Committee to whom was referred H. F. No. 87, A Bill providing for the appointment of a Territorial Librarian and in relation to the Territorial Library, beg leave to report the same back and recommend that it be put upon its passage.

Very respectfully,  
SARGENT, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 87 filed for second reading.

Representatives Hall,  
March 6, 1890.

*Mr. Speaker:*

Your Committee on the Asylum for the Insane, to whom was referred the report of the president and board of directors of that institution, beg leave to report that we have carefully considered the same. We find that the present building, which is only one wing of the structure as originally contemplated, entirely too limited in every particular to meet the present wants. At this date there are one hundred and twenty-nine (129) patients crowded into the wing designed to accommodate only about seventy-five (75), the latter figure being based on the most approved modern plan of treating the inmates. To carry out the original plan completing the institution would incur a greater expenditure, compared with number of patients that could then be accommodated, than the Territory could afford. The board of directors have therefore wisely decided to change the original plans so as to double the capacity, as will be seen by their supplementary report to the Legislative Assembly at the present session. If the structure be completed according to the revised plans it would accommodate three hundred to three hundred and fifty and even four hundred patients to better advantage than the number now confined in the now completed wing.

We find that to complete the entire building it will cost, according to the estimates given in the report of the board of directors, one hundred and sixty-three thousand dollars (\$163,000). It has been suggested that a good plan would be to erect the entire buildings, place them under cover, and furnish them as the immediate wants might require. It is claimed that in so doing we could save for the present \$35,000. But your committee are inclined to the belief that by dividing up the work, a greater expense would be incurred than by completing it under one contract. That the care of this class of unfortunates rests upon us no one will undertake to deny. The only question then is, "which is the best and most economical way of doing so?" Your committee have been unable to find any better way than to complete the buildings according to the revised plans submitted to us and we so recommend.

We also find that a further sum of \$60,000 will be necessary for the maintenance of the Asylum during the ensuing two years.

Your Committee therefore recommend that \$223,000 be appropriated for the completion of the Territorial Asylum for the Insane and its maintenance for two years.

Respectfully,

L. S. WOOD, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

House of Representatives,

March 5, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to whom was referred H. F. No. 81, A Bill in the interest of improved husbandry, after considering the same report it back with a recommendation that it be put upon its passage.

Respectfully,

ROBISON, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 81 placed on file for second reading.

Committee Room,

*Mr. Speaker:*

March 6, 1890.

Your Committee on Highways would respectfully report that



the accompanying petitions asking for appropriations of money to be expended upon the several roads and bridges as set forth in the said petitions; also that portion of the Governor's message relating to highways, referred to your committee, have been duly considered, and in view of the necessities of the situation would respectfully submit that the following sums be appropriated by the Territory to be drawn and expended under the direction of the county courts of the several counties as follows:

Salt Lake County . . . . .	\$2500 00
Garfield " . . . . .	1500 00
Iron " . . . . .	1000 00
San Juan " . . . . .	1000 00
Piute " . . . . .	1000 00
Kane " . . . . .	2000 00
Morgan " . . . . .	1000 00
Davis " . . . . .	1000 00
Utah " . . . . .	2000 00
Millard " . . . . .	1500 00
Weber " . . . . .	3000 00
Beaver " . . . . .	1500 00
Emery " . . . . .	3000 00
Wasatch " . . . . .	1000 00
Sanpete " . . . . .	1500 00
Box Elder " . . . . .	4000 00
Uintah " . . . . .	2000 00
Summit " . . . . .	2000 00
Washington " . . . . .	3000 00
Cache " . . . . .	2000 00
Rich " . . . . .	1000 00
Juab " . . . . .	1500 00
Sevier " . . . . .	1000 00
Tooele " . . . . .	1000 00

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\$42,000 00

Respectfully,  
MELVILLE, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriations instructed.



House of Representatives,  
March 6, 1890.

*Mr. Speaker*

Your Committee on Memorials to Congress, report back H. M. No. 5, and recommend that it be amended by striking out all after line 2 on page 3 and inserting in lieu thereof, the amendment herewith submitted and that the memorial so amended be adopted.

PIERCE, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendment to H. M. No. 5, read and adopted.

#### MEMORIAL TO CONGRESS.

*To the Honorable the Senate and House of Representatives  
of the United States in Congress Assembled:*

*Whereas*, the growing necessities of the west demand a first class harbor on the gulf coast in the State of Texas, in order that the surplus products of the State of Texas and neighboring States and Territories, may find an outlet to the markets of the world by a shorter route than is now open to them, and at a vast annual saving to the producers, and,

*Whereas*, the annual surplus tonnage of farm and manufactured products of the west, amounts, annually, to many millions of tons; and,

*Whereas*, the Congress of the United States, did, at its last session provide for the appointment of a special board of engineers whose duty it was to report to the present Congress the most eligible point or points upon the gulf coast of Texas for a deep harbor, to be of ample depth, width and capacity to accommodate the largest ocean-going vessels, and the commercial and naval necessities of the country; and such special board of engineers having been appointed as provided by said act of Congress, did, after due examination of the harbor of Galveston, among other things, report in favor of Galveston at such point, and recommend the appropriation by Congress of the sum of \$6,200,000 for the improvement of that port and harbor; and,

*Whereas*, the Committee on Commerce in the United States Senate has reported to the Senate a bill making an

appropriation for the purpose aforesaid, of which the following is a copy:

"Be it enacted, etc., That for the purpose of securing the work of improving the entrance to Galveston harbor, Texas, the Secretary of War, upon the application of the chief of engineers, is hereby authorized, in his discretion, to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such sums as may be necessary to do such work, not to exceed in the aggregate \$6,200,000, the amount estimated as necessary for the completion of the same, as shown in the reports of the chief of engineers, for the year 1889;

"*Provided, however,* That the amounts so drawn from the treasury shall not exceed \$1,000,000 in any one year, and that an itemized statement of said expenditures shall accompany the annual report of the chief of engineers.

"The amount required for the completion of this work as herein proposed is hereby appropriated out of any money in the treasury not otherwise appropriated," therefore,

*Be it Resolved by the Governor and Legislative Assembly of the Territory of Utah,* That the Congress of the United States is hereby earnestly requested to pass the bill now pending in the Senate above referred to.

Memorial adopted as amended.

COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 5, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor, announcing his approval of C. F. No. 37, An Act amending Section 3790 of the Compiled Laws of Utah, 1888; relating to the trial of actions in justices' courts for forcible entry, etc.

Very respectfully,

FRANK J. CANNON.

*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 6, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed H. F. No. 75, A Bill to amend Section 2092 of the Compiled Laws of Utah, 1888, relating to highways, and the same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

H. F. No. 75 referred to the Committee on Enrollment.

Utah Legislature,  
Council Chamber,  
March 6, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted Conference Committee's report on C. F. No. 3 (substitute) and, as recommended, has passed the same.

The bill is herewith forwarded for your further action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Committee Room,  
March 6th, 1890.

*Mr. Speaker:*

Your Committee of Conference, to whom was referred the matter of disagreement to the amendments offered by the House to Substitute for C. F. 31, A Bill amending Sections 2114, 2115 and 2116 of the Compiled Laws of Utah of 1888, beg leave to report, that after consideration the recommendation is made that the House recede from its amendments wherein "right fore paw" is inserted in said bill, and that these words be stricken out, leaving the original language in said bill, and the Council agree to all the other House amendments to said bill.

Respectfully,

REID, *Chairman.*

Conference report read and adopted.

C. F. No. 3 (House substitute), read third time and passed with amendments, as agreed upon by Conference Committee.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Stewart, Williams, Wood—20.

Noes—Hammond—1.

Absent—Sargent, Thurman—2.

Title approved.

#### INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Howell (by unanimous consent)—H. F. No. 92, A Bill providing for the payment of jurors, witnesses and phonographic reporters, and creating and defining the duties of court commissioners.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Ferrin (by unanimous consent)—H. F. No. 93, A Bill amending Sections 3200 S. 257 of the Compiled Laws of Utah of 1880, relating to the place of trial of civil action.

Read first time by its title and referred to the Committee on Judiciary.

#### SPECIAL ORDER OF THE DAY.

H. F. No. 72, make special order for to-morrow, March 7, 1890.

#### SECOND READING OF BILLS.

C. F. No. 42, read second time by sections, amended and placed on general file for third reading.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 6, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted H. M. No. 5, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*



## CONSIDERATION OF MEMORIAL.

H. M. No. 5, referred to the Committee on Enrollment.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 6, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 56, A Bill to amend Section 2360 of the Compiled Laws of Utah, 1888, relating to railroad corporations, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. NO. 56.

A Bill to amend Section 2360 of the Compiled Laws of Utah of 1888, relating to railroad corporations.

Read first time and referred to the Committee on Private Corporations.

## SECOND READING OF BILLS (CONTINUED).

C. F. No. 46, read second time by sections, amended.  
Rules suspended—Ayes 20.

Bill read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferry, Howell, Johnson, Kimball, Lowe, Lurd, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Wood—19.

Noes—Ferry, Thurman, Williams—3.

Absent—Hammond—1.

Title amended and approved.

H. F. No. 85, A Bill to provide for the release of contracts affecting real estate.

Read second time by sections, amended.

Rules suspended—Ayes, 19.

Bill read third time amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—23.



Noes —0.

Absent—0.

Title read and approved.

H. F. No. 83, read second time by sections, amended, and placed on the general file for third reading.

H. F. No. 87, read second time by sections, amended, and placed on the general file for third reading.

H. F. No. 81, read second time by sections, amended and placed on the general file for third reading.

#### MISCELLANEOUS BUSINESS.

By Mr. Kimball—A claim from A. Kuhn Bros., for two jurors' certificates (in civil cases) issued by the clerk of the First Judicial District Court. Amount, \$14.

Referred, without reading, to the Committee on Claims and Public Accounts.

On motion of Mr. Howell, House adjourned, at 5 p. m. until to-morrow, March 7, 1890, at 2 p. m.

Benediction by the Chaplain.

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#### FIFTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,

City Hall, Salt Lake City, Utah,

Friday, March 7th, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the fifty-third day read and approved.

Mr. Wood excused for the day.

#### REPORTS OF STANDING COMMITTEES.

Committee Room,

March 7, 1890.

*Mr. Speaker:*

Your Committee on Enrollment report that H. F. No.

56 (Council substitute) "A Bill to amend Section 76 S. 1 of the Compiled Laws of Utah of 1888, relating to the boundary of Emery County," has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was, at 11 o'clock a.m. this day, forwarded to His Excellency the Governor for official action thereon.

Respectfully,

BENNION, *Chairman.*

House of Representatives,

March 7, 1890.

*Mr. Speaker:*

Your Committee on Memorials to Congress, to whom H. M. No. 4 was referred, recommend that the same be adopted.

PIERCE, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

#### HOUSE MEMORIAL NO. 4.

*To the Honorable the Senate and House of Representatives of the United States in Congress Assembled.*

Your memorialists, the Governor and Legislative Assembly of the Territory of Utah, would respectfully represent:

That Big Cottonwood Canyon, in Salt Lake County, Utah Territory, is one of the chief sources of water supply for Salt Lake Valley;

That the country situate at the head of this canyon was until within a few years heavily wooded, thus affording protection for the snows deposited over a large water shed, thus furnishing a steady flow of water throughout the summer months for irrigating and other purposes;

That the canyon is now being rapidly denuded of trees for the purpose of sawing into lumber, and of undergrowth, by pasturing of large herds of sheep;

That by such denuding the snows are melted rapidly, causing freshets in the spring and drought later in the season, to the great damage of the inhabitants of Salt Lake valley;

That Big Cottonwood contains many mountain lakes, of much scenic interest and great beauty, and is the great

resort for the people of Utah, during the hot summer months.

Your memorialists therefore humbly pray that, saving all mining and other rights heretofore acquired, all land belonging to the United States, lying in the region of country bounded by the divides between Big Cottonwood and Parley's Park, Snake Creek, Mill Creek and Little Cottonwood canyons, respectively, for a distance of ten miles westerly from the head of Big Cottonwood Canyon, be granted to the Territory of Utah, and set apart as a public park in which it shall be unlawful to cut any growing trees or to pasture cattle or sheep, and

Your memorialists as in duty bound will ever pray.

Read and adopted.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 6, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor, announcing his approval of C. F. No. 5, C. F. No. 40, and C. M. No. 2.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

SPECIAL ORDER OF THE DAY.

H. F. No. 72 made special order for to-morrow, March 8, as was also substitute offered by Mr. Hammond, which was ordered printed.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 54, A Bill amending Section 2591 of the Compiled Laws of

Utah, 1888, relating to marriage, and the same is herewith returned for your action on said amendments.

Respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. No. 54.

Read. Bill as amended referred to the Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 90, A Bill attaching a part of Sevier County to Sanpete County, and the same is herewith returned for your action on said amendments.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO. 90.

Referred with bill to the Committee on Counties.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 68, A Bill amending Section 10 of the Compiled Laws of Utah relating to the Territorial treasurer, and the same is herewith returned for your action on said amendments.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO. 68.

Read and concurred in.

Bill read second and third time and passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Smith, Sargent, Stewart, Williams—20,

Noes—0.

Absent—Robison, Thurman, Wood—3.

Title approved.

Referred to Committee on Enrollment.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed, with amendments, C. F. No. 41 (House substitute), A Bill providing for the custody of the records of the Commissioners of the Supreme and District courts in cases of vacancies, and the same is herewith returned for your action on said amendments.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COUNCIL AMENDMENTS TO HOUSE SUBSTITUTE FOR C. F. No. 41.

Referred to the Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 21 (Substitute), A Bill to fix the legal rate of interest, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. No. 21.

A Bill to fix the legal rate of interest.

Read first time by its title and referred to the Committee on Judiciary.



Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 38 (Substitute), A Bill to amend Section 4170 of the Compiled Laws of Utah, 1888, relating to probate procedure, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO. 38 (SUBSTITUTE).

A Bill to amend Section 4170 of the Compiled Laws of Utah, 1888, relating to probate procedure.

Read first time by its title and referred to the Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments to C. F. No. 46, A Bill creating Grand County, and requests a conference committee thereon, naming Councilors Hatch and Seegmiller as Council's conferees thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COMMUNICATION.

Conference committee granted.

The Speaker named Messrs. Lund and Pierce as conferees on the part of the House.

THIRD READING OF BILLS.

C. F. No. 42 read third time, amended, pending further action, made special order for to-morrow, March 8, 1890.

Ordered printed.

REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS AND TOWNS  
(BY CONSENT).House of Representatives,  
March 7, 1890.*Mr. Speaker:*

The Committee on Municipal Corporations and Towns, to whom was referred C. F. No. 35, providing for the classification, incorporation and government of cities, respectfully recommend that the bill be amended by striking out chapter 5 of said bill and substituting in lieu thereof the accompanying amendments, and that the bill as amended be put on its passage.

THURMAN, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

Amendment offered by the committee, to C. F. 35, adopted.

Chapter 5 ordered printed.

Bill as amended made special order for to-morrow, March 8, 1890.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 7, 1890.*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 8 (substitute), A Bill to provide for the protection of fish, and for the appointment of a Territorial and county commissioner, and the same is herewith returned for your action on said amendments.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk*.

## CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO 8 (SUBSTITUTE).

Read and referred to the Committee on Fish and Game.

## THIRD READING OF BILLS (CONTINUED).

H. F. No. 83, A Bill to provide for making a record of descent of the real estate of deceased persons.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams—21.

Noes—Lund—1.

Absent—Wood—1.

Title approved.

H. F. No. 87, A Bill providing for the appointment of a Territorial librarian, and in relation to the Territorial Library.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Howell, Johnson, Kimball, Lowe, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams—20.

Noes—Hammond, Lund—2.

Absent—Wood—1.

Title approved.

H. F. No. 81, A Bill in the interest of improved husbandry.

Bill read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Kimball, Melville, Russell, Robison, Smith, Sargent, Stewart, Williams—13.

Noes—Ferrin, Howell, Johnson, Lowe, Lund, Porter, Pierce, Reid, Thurman—9.

Absent—Wood—1.

Title approved.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 49, A Bill in relation to the registering of voters and conducting of elections, and amending Sections 238, 245 and 246 of the Compiled Laws of Utah, 1888, relating to registration and elections, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO. 49.

A Bill in relation to the registration of voters and conducting of elections and amending sections 238, 245 and 246 of the Compiled Laws of Utah, 1888, relating to registrations and elections.

Read first time by its title and referred to the Committee on Elections.

MISCELLANEOUS BUSINESS.

Representative Hall,  
March 7, 1890.

*Mr. Speaker:*

Your Committee on Municipal Corporations, to whom was referred C. F. No. 31, relating to municipal corporations of the first and second classes, respectfully recommend that said bill be amended by striking out cities of the second class wherever said words occur, so as to make the bill applicable to cities of the first class only, and that the bill, as amended, be put on its passage.

THURMAN, *Chairman.*

CONSIDERATION OF REPORT.

Read and adopted.

Amendment offered by Committee to C. F. No. 31 read and adopted.

Rules suspended.—Ayes 16.

Bill read second time by sections, amended and placed on the general file for third reading.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 20, A Bill for the protection of game and birds, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO. 20.

A Bill for the protection of game and birds.

Read first time by its title and referred to the Committee on Fish and Game.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 13 (substitute), A Bill to amend Sections 2198, 2199 and 2200 of the Compiled Laws of Utah, of 1888, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C.F. No. 13. (SUBSTITUTE).

A Bill to amend Section 2198, 2199 and 2200 of the Compiled Laws of Utah, 1888.

Read the first time by its title, and referred to the Committee on Agriculture and Irrigation.

Committee Room,  
March 7th, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that H. M. No. 5, relating to deep harbor improvements at Galveston, Texas, and H. F. No. 75, "A Bill to amend Section 2092 of the Compiled Laws of Utah of 1888, relating to highways," have been correctly enrolled, signed by the Speaker of the House and President of the Council, and were this day, at 3:15 p. m., forwarded to the Governor for official action thereon.

Respectfully,  
BENNION, *Chairman.*

By Mr. Robison—Claim of Beaver County for boarding prisoners during the March term, 1890, amount \$45.60.

Referred without reading to the Committee on Claims and Public Accounts.

Messrs. Melville and Smith excused for to-morrow, March 8, 1890.

On motion of Mr. Hammond, House adjourned, at 5 p. m., until to-morrow, at 2 p. m., March 8, 1890.

Benediction by the Chaplain.



## FIFTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Saturday, March 8, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the fifty-fourth day read and approved.

## REPORTS OF STANDING COMMITTEES.

*Majority Report.*

Committee Room,  
March 8, 1890.

*Mr. Speaker:*

Your Committee on Education, to whom was referred C. F. No. 54, a substitute for C. F. No. 24, and H. F. Nos. 1 and 2, have carefully considered the same. We have certain amendments herewith presented, which we recommend for adoption by the House.

The majority of the committee also recommend that the bill as amended be put upon its passage. The minority will present a report.

Yours respectfully,  
ALLEN, *Chairman.*

*Minority Report.*

Committee Room,  
March 8th, 1890.

*Mr. Speaker:*

While I cheerfully endorse the adoption of the amendments to C. F. No. 54, presented by the Committee on Education, I cannot join in their recommendation for its passage. It is objectionable in many features, especially with regard to the qualifications of electors, and would fail

to reach the object desired by the people of the Territory. This is particularly true of the article taking up the question of city schools.

At the proper stage of the bill amendments will be presented to cure these defects.

C. E. ALLEN.

#### CONSIDERATION OF REPORT.

Read and majority report adopted.

Amendments recommended by committee adopted.

C. F. No. 54, as amended filed for second reading.

Committee Room,  
March 8, 1890.

*Mr. Speaker:*

Your Committee on Elections, to whom was referred C. F. No. 49, A Bill in relation to the registration of voters, and conducting elections, and amending Sections 238, 245 and 246 of the Compiled Laws of Utah, 1888, relating to registration and elections, beg to report upon the same, and recommend that it be put upon its passage.

CREER, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 49 filed for second reading.

Committee Room,  
March 8, 1890.

*Mr. Speaker :*

Your committee to whom was referred Council amendments to H. F. No. 8, report the same back and recommend that the House concur in all of said amendments.

PORTER, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Council amendments to H. F. No. 8, read and concurred in.

Bill as amended, read third time and passed.

Ayes—Allen, Bennion, Ferrin, Ferry, Johnson, Kimball, Porter, Pierce, Russell, Robison, Stewart, Williams, Wood—13.

Noes—Hammond, Howell, Lund, Melville, Reid, Sargent, Thurman—7.

Absent—Creer, Lowe, Smith—3.

Title approved.

Bill referred to the Committee on Enrollment.

Committee Room,  
March 8, 1890.

*Mr. Speaker:*

Your committee to whom was referred C. F. No. 20, report the same back with one amendment, (Section 10), and recommend with this amendment the bill be put upon its passage.

PORTER, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments recommended by committee adopted.

C. F. No. 20 filed for second reading as amended.

House of Representatives,  
March 8, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to whom was referred C. F. No. 13, A Bill to amend Sections 2198, 2199, 2200 and 2201 of the Compiled Laws of Utah of 1888, have considered the same and report it back with the recommendation that it be put upon its passage.

Respectfully,  
ROBISON, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 13, filed for second reading.

House of Representatives,  
March 8, 1890.

*Mr. Speaker*

Your Committee on Memorials to Congress, herewith hand you H. M. No. 2, and recommend that it be adopted.

PIERCE, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. M. No. 2.

Salt Lake City, Utah,  
January 28th, 1890.

*To the Honorable the Senate and House of Representatives  
of the United States of America, in Congress  
assembled:*

Your memorialists the Governor and Legislative Assembly of the Territory of Utah, would respectfully represent to your honorable body that there exists in said Territory a necessity for an improvement in the public schools of said Territory of Utah.

That under the laws of the United States, Sections 16 and 36 of each township are reserved from the public domain, for the benefit of the public schools when such Territories become States, and

That such sections of land are not available until after the admission of such Territories.

That by act of Congress of August 9th, 1888, Congress permitted the Territory of Wyoming to lease the said reserved lands to settlers for the benefit of the public schools of said Territory of Wyoming.

That by such an act in behalf of the Territory of Utah, the public schools thereof would be greatly benefitted and public education greatly enhanced.

That said Sections 16 and 36, as set apart by Congress for the benefit of public schools are now being used and improved, and the public schools receiving no benefit therefrom, and

Your memorialists therefore, ask that the Congress of the United States of America do pass an act enabling and allowing said Territory of Utah to lease, for the use and benefit of the public schools of said Territory, all the lands thus reserved by the statutes of the United States of America within the confines of said Territory of Utah, and in due y bound your petitioners will ever pray.

Read and adopted.

House of Representatives,  
March 8, 1890.

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred C. F. No. 38, to amend Section 4170, of the Compiled Laws of Utah, of 1888, relating to probate procedure, respectfully recommend that the bill be put upon its passage.

THURMAN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 38 filed for second reading.

Representative Hall,  
March 8, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred substitute for C. F. No. 41, as amended by the Council, respectfully recommend that the House do not concur in said amendments, and that a conference be requested thereon.

THURMAN, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

Conference Committee asked for on Council amendments to C. F. No. 41. The Speaker named as conferees on part of the House Messrs. Thurman and Allen.

Representative Hall,  
March 8, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. 21, to fix the legal rate of interest, respectfully recommend that the bill be amended by inserting after the figures "2119" and before the word "It" in line 6 of said bill the word "hereafter," and that the bill as amended be put on its passage.

THURMAN, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

Amendments recommended by the committee, read and accepted.

C. F. No. 21 filed for second reading.

Representative Hall,  
March 8, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 54, A Bill to amend Section 2590, Compiled Laws of Utah of 1888, relating to marriage, respectfully recom-



mend that the House do not concur in Council amendments to said bill and that a conference thereon be requested.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Conference Committee asked for on Council amendments to H. F. No. 54. The Speaker named as conferees on part of the House Messrs. Kimball and Melville.

Representative Hall,  
March 8, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 73, relating to homestead, respectfully report a substitute therefor, and recommend that its substitute bill be put on its passage.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Substitute recommended by the committee adopted.

Original bill rejected.

H. F. No. 73 (substitute) filed for second reading.  
Ordered printed.

Representative Hall,  
March 8, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 88, equalizing transportation of coal over the railways in Utah, respectfully recommend that the bill be rejected.

THURMAN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 88 rejected.

Representative Hall,  
March 8, 1890.

*Mr. Speaker:*

Your Committee to whom was referred H. F. No. 90, reported back from the Council with amendments, beg leave

to report that they have considered said amendments and would recommend that they be adopted, and that the bill as amended be put upon its passage.

Respectfully,  
LUND, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Council amendments to H. F. No. 90 read and concurred in.

Bill read third time and passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Melville, Porter, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—Lund, Pierce—2.

Absent—Smith—1.

Title approved.

Bill Referred to the Committee on Enrollment.

Committee Room,  
March 8, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred C. F. No. 56, A Bill to amend Section 2360, Compiled Laws of Utah of 1888, relating to corporations, herewith report the same back and recommend that the same be passed.

Respectfully,  
HAMMOND, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 56 filed for second reading.

Committee Room,  
March 8, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred H. F. No. 89, A Bill to amend Sections 2268, 2272, 2273 and 2277 of Compiled Laws of Utah of 1888, relating to private corporations, herewith report the same back and recommend that the same be put upon its passage.

Respectfully,  
HAMMOND, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 89 filed for second reading.

## INTRODUCTION AND FIRST READING OF BILLS.

Mr. Ferry (by unanimous consent)—H. F. No. 94, A Bill providing appointment committee to the World's Fair.

Read first time by its title and referred to the Committee on Manufacture and Commerce.

By Mr. Ferry (by unanimous consent)—H. F. No. 95, A Bill establishing a chair of geology and mineralogy in Deseret University.

Read first time by its title and referred to the Committee on Mines and Mining.

By Committee on Judiciary (by unanimous consent)—H. F. No. 96, A Bill supplementary to and amendatory of an act prescribing rules, etc., "relief of inhabitants and towns."

Read first time and filed for second reading.

By Mr. Thurman (by unanimous consent)—H. F. No. 97, A Bill amending procedure in probate courts in settlements of estates and guardianship.

Read first time by its title and referred to Committee on Judiciary.

## SPECIAL ORDERS OF THE DAY.

H. F. No. 72 (substitute), A Bill amending Sections 2012, 2013, 2023, 2027, 2030 and 2043 of the Compiled Laws of Utah of 1888, relating to revenue, and enacting new sections to be numbered 2026 a, 2026 b, 2026 c, 2026 d, 2030 a, 2030 b, read and adopted.

Read third time amended and passed.

Ayes—Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Sargent, Stewart, Thurman, Wood—18.

Noes—Allen, Kimball, Pierce, Williams—4.

Absent—Smith—1.

Title approved.

Communication from the Committee on Enrollment.

Committee Room,

March 8, 1890.

*Mr. Speaker:*

Your Committee on Enrollment, respectfully report

that H. F. No. 68, "A Bill amending Section 10 of the Compiled Laws of Utah of 1888, relating to the Territorial treasurer," has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was at 5 p. m., of this day, forwarded to the Governor for his official action thereon.

Respectfully, etc.,  
BENNION, *Chairman.*

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed H. F. 55, A Bill to encourage the manufacture of native or Portland cements in Utah Territory, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF H. F. NO. 55.

Bill referred to the Committee on Enrollment.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 79, A Bill amending Section 2411 of the Compiled Laws of Utah of 1888, relating to irrigation companies, and the same is herewith returned for your action on said amendments.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO. 79.

Read and concurred in.

Bill read third time and passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce,

Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Smith—1.

Title approved.

Bill referred to the Committee on Enrollment.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 7, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 58, A Bill to protect irrigation companies, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. NO. 58.

A Bill to protect irrigation companies.

Read first time by its title, and referred to the Committee on Agriculture and Irrigation.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, as recommended in Conference Committee's report, C. F. 46, and the same is herewith forwarded for your further action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### REPORT OF COMMITTEE ON CONFERENCE.

House of Representatives,  
March 8, 1890.

*Mr. Speaker:*

Your Conference Committee on C. F. 46, report that it



has consulted with a like committee from the Council, and the joint committees recommend the adoption of all the House amendments, and that the bill be further amended by inserting "next" between "the" and "general" in line 28, page 2, and by striking out "August" in the same line.

C. N. LUND,  
FRANK PIERCE.

## CONSIDERATION OF REPORT.

Read and adopted.

Council amendments to C. F. No. 46 read and concurred in.

C. F. No. 46, read third time, and passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Robison, Reid, Stewart, Thurman, Williams, Wood—21.

Noes 0.

Absent—Smith, Stewart—2.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 48, and the same is herewith forwarded for your action.

Very respectfully,

FRANK J. CANNON.

*Chief Clerk.*

Consideration of C. F. No. 48. A Bill amending Section 1941, S. 2 of the Compiled Laws of Utah of 1888.

Read first time by its title and referred to the Committee on Asylum for the Insane.

## SPECIAL ORDERS OF THE DAY (CONTINUED).

C. F. No. 42 made special order for Monday, March 10, 1890.

C. F. No. 35 (amendments offered and ordered printed), made special order for this evening's session, 7.30 p. m.

## SECOND READING OF BILLS.

C. F. No. 54 Read second time by sections. Amended.  
Rules suspended—Ayes 16.

Pending third reading, House took recess, at 6 p. m.,  
until 7:30.

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7:30 p. m.

House resumed session.

The Speaker in the chair.

H. F. No. 54, third reading.

Mr. Kimball moved that the bill be read at length.  
Lost.

Mr. Pierce moved that C. F. No. 35 be taken up and  
considered. Lost.

Mr. Allen moved that the bill be laid upon the table.  
Lost.

Mr. Allen moved to adjourn. Lost.

Mr. Williams moved that the bill be read by sections.  
Lost.

Mr. Ferry moved that the bill be read third time by  
calling sections. Lost.

C. F. No. 54 read third time, amended and passed.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell,  
Johnson, Lowe, Lund, Melville, Porter, Russell Reid,  
Robison, Stewart, Thurman Wood—16.

Noes—Allen, Ferry, Kimball, Pierce, Williams—5.

Absent—Smith, Sargent—2.

Title approved.

## SPECIAL ORDER OF THE DAY.

C. F. No. 35, read third time, amended and passed.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell,  
Johnson, Lowe, Melville, Porter, Russell, Reid, Robison,  
Stewart, Thurman, Wood—15.

Noes—Allen, Ferry, Kimball, Pierce, Sargent,  
Williams—6.

Absent—Lund, Smith—2.

Title approved.

## SECOND READING OF BILLS.

C. F. No. 49, read second time by sections. Amended.  
Rules suspended—Ayes, 15.

Bill read third time and passed.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Lowe, Melville, Porter, Russell, Reid, Robison, Sargent, Stewart, Thurman, Wood—15.

Noes—Allen, Ferry, Kimball, Pierce, Wood—5.

Absent—Johnson, Lund, Smith—3.

Title approved.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed with amendments H. F. No. 50, A Bill to secure to ranchmen, tavern keepers and other persons, liens on personal property, etc., and the same is herewith returned for your action on said amendments.

Very respectfully,

FRANK J. CANNON,  
Chief Clerk.

CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. No. 50.

Referred with bill to Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed with amendments, H. F. No. 58, A Bill amending Sections 2158, 2160, 2161 and 2169, of the Compiled Laws of Utah, of 1888, relating to intoxicating liquors, and the same is herewith returned for your action on said amendments.

Very respectfully,

FRANK J. CANNON,  
Chief Clerk.

CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. No. 58.

Read and concurred in.

Bill, as amended, read third time and passed.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Kimball, Lowe, Melville, Porter, Russell, Reid, Robison, Sargent, Stewart, Williams, Wood—16.

Noes—Pierce, Thurman—2.

Absent—Allen, Ferry, Johnson, Lund, Smith—5.

Title approved.

Bill referred to the Committee on Enrollment.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 65, A Bill to provide rights of way and easements for the development of mines, and the same is herewith returned for your action on said amendments.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO. 65.

Read and concurred in.

Bill as amended read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Kimball, Lowe, Melville, Porter, Pierce, Russell, Reid, Robison, Stewart, Thurman, Williams, Wood—19.

Noes—Sargent—1.

Absent—Johnson, Lund, Smith—3.

Title approved.

Bill referred to the Committee on Enrollment.

COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. J. R. No. 3, and the same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Consideration of Council amendments to H. J. R. No. 3.  
Read and concurred in.

Resolution read third time as amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond,  
Howell, Kimball, Lowe, Melville, Porter, Pierce, Russell,  
Reid, Robison, Sargent, Stewart, Thurman, Williams,  
Wood—20.

Noes—0.

Absent—Johnson, Lund, Smith—3.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. Nos. 53 and 76, and the same are herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 8th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 45, also Council substitute for H. F. No. 51; also C. F. 57, and the same are herewith forwarded for your consideration.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. No. 45.

A Bill to provide for the compensation of certain county and precinct officers.

Read first time by its title and referred to the Committee on Judiciary.

Council substitute for H. F. No. 51, read and adopted. Original bill rejected.

Rules suspended—Ayes 18.

H. F. No. 51 (Council substitute) read second time by sections.

Read third time by its title and passed.

Ayes—Bennion, Creer, Ferrin, Ferry, Hammond,



Howell, Kimball, Lowe, Melville, Porter, Pierce, Reid, Robison, Stewart, Sargent, Thurman, Williams, Wood—18.

Noes—0.

Absent—Allen, Johnson, Lund, Russell, Smith—5.

Title approved.

Bill referred to the Committee on Enrolment.

#### CONSIDERATION OF C. F. NO. 57,

A Bill concerning the laying out and platting of towns.

Read first time by its title and referred to the Committee on Municipal Corporations and Towns.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in certain amendments of the House amendments to C. F. No. 54, and requests a conference committee thereon, naming Messrs. Hall, Richards, Benner and Barton as its conferees.

Very Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COMMUNICATION.

Conference Committee granted. The Speaker names as conferees, Messrs. Allen, Hammond, Creer and Stewart on part of the House.

House of Representatives,  
Salt Lake City,  
March 8, 1890.

*Mr. Speaker:*

Your committee appointed to confer with a like committee from the Council on the disagreement of the two houses on the Council amendments to H. F. No. 54, A Bill to amend Section 2591, Compiled Laws of 1888, regulating marriage, respectfully report that they have met and conferred with the Committee of the Council, and we respectfully recommend that the House do recede from its ac-

tion in refusing to concur in said amendments, and that it do concur in said amendments.

KIMBALL.  
MELVILLE,  
*Committee.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Council amendments to H. F. No. 54 concurred in.

Bill as amended, read third time and passed.

Ayes—Bennion, Howell, Johnson, Kimball, Lowe, Melville, Porter, Russell, Reid, Robison, Sargent, Wood, the Speaker—13.

Noes—Ferry, Pierce, Thurman, Williams—4.

Absent—Allen, Creer, Ferrin, Hammond, Lund, Smith, Stewart—7.

Title approved.

Bill Referred to the Committee on Enrollment.

#### REPORT OF THE COMMITTEE ON ENROLLMENT.

Committee Room,  
March 8, 1890.

*Mr. Speaker :*

Your Committee on Enrollment respectfully report that H. F. No. 55, "A Bill to encourage the manufacture of native or Portland cements in Utah Territory," H. F. No. 79, "A Bill amending Section 2411 of the Compiled Laws of Utah of 1888, relating to irrigation companies," and H. F. No. 90, "A Bill attaching a part of Sevier County to Sanpete County," have been correctly enrolled, signed by the Speaker of the House and President of the Council, and were at 11 p. m. this day forwarded to His Excellence the Governor for official action thereon.

Respectfully etc.,  
BENNION, *Chairman.*

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in certain House

amendments to C. F. No. 35, and requests Conference Committee thereon, naming Messrs. Richards and Lund as its conferees.

Very respectfully

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COMMUNICATION.

Conference Committee granted.

The Speaker named as conferees, Messrs. Thurman and Pierce on the part of the House.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker.*

I am directed to inform your honorable body that the Council has this day adopted Conference Committee's report on House amendments to C. F. No. 54, and as amended and recommended by said report, has passed same. The bill as amended is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONFERENCE COMMITTEE REPORT.

Committee Room,  
March 8th, 1890.

*Mr. Speaker:*

Your Committee of Conference, on C. F. No. 54, have agreed that the Council recede from three of the proposed amendments, and that the House concur in two, viz: First, in Section 4, line 3, the word "may" be inserted in lieu of "shall." Second, Section 113, that the printed lines, one, two and three, shall be restored as in the original bill.

ALLEN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments to C. F. No. 54, read and concurred in.

Bill read third time, and passed, as amended.

Ayes — Bennion, Creer, Ferrin, Hammond, Howell,

Johnson, Lowe, Melville, Porter, Reid, Robison, Stewart, Thurman, Wood—14.

Noes—Allen, Ferry, Kimball, Pierce, Williams—5.

Absent—Lund, Russell, Smith, Sargent—4.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted Conference Committee's report on C. F. No. 35, has passed same, and the bill with report is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### REPORTS OF CONFERENCE COMMITTEES.

Committee Room,  
March 8, 1890.

*Mr. Speaker:*

Your Conference Committee on House amendments to C. F. No. 35, have conferred with the conferees from the House and the Joint Committee agreed to recommend that said amendments be concurred in, except in the 17th line of Section 3, Chapter I, that the word "twenty" be changed to "thirty," and in the 17th line of Section 5, Chapter 11, that the word "twenty" be changed to "thirty" and in the 17th line, of Section 6, Chapter III, that the word "twenty" be changed to "thirty;" and that the following section be added to the bill: "Section 8. This act shall take effect from and after the 15th day of April, 1890." And as thus amended, recommend the passage of the bill.

THURMAN,  
PIERCE,  
*Conferees on part of the House..*

#### CONSIDERATION OF AMENDMENTS TO C. F. No. 35.

Read and concurred in.

Bill read third time and passed as amended.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell,

Johnson, Lowe, Melville, Porter, Reid, Robison, Sargent, Stewart, Thurman, Wood—15.

Noes—Allen, Ferrin, Kimball, Pierce, Sargeant, Williams—6.

Absent—Lund, Smith—2.

Utah Legislature,  
Council Chamber,  
March 8th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 49, has passed same and referred it to the Committee on Enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

REPORT FROM THE COMMITTEE ON PRIVATE CORPORATIONS (BY CONSENT)

Representatives Hall,  
March 8, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred H. F. No. 35, and H. F. No. 74, bills to provide for the incorporation and management of trust and guarantee associations, beg leave to report the same back, and recommend that the said bills be rejected.

Respectfully,  
HAMMOND, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 74, and H. F. No. 35, rejected.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. Nos. 78 and 81, and the same are herewith returned to you.

Very Respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*



Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to adopt House substitute for C. J. R. No. 2, and requests conference committee thereon, naming Messrs. Barton and Bryan as its conferees thereon.  
Very respectfully.

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COMMUNICATION.

Conference Committee granted. The Speaker named as conferees Pierce and Thurman on part of the House.  
Report of the Committee on Judiciary:

Representative Hall,  
March 8, 1890.

*Mr. Speaker:*

Your Committee on Judiciary herewith report back H. F. No. 50, and recommend that the Council amendments be not concurred in, and ask for a conference committee.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Conference Committee asked for. The Speaker named as conferees Thurman and Kimball on part of the House.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed H. F. No. 49, with amendments, A Bill to secure liens to mechanics and others, etc., and the same is herewith returned for your action on said amendments.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF AMENDMENTS TO H. F. No. 43.

Read and concurred in.

Bill as amended read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes—0.

Absent—Lund, Smith—2.

Title approved.

Bill referred to the Committee on Enrollment.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 61, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. No. 61.

A Bill supplementary to and amendatory of "An Act prescribing rules and regulations for the execution of the trust arising under an act of Congress, entitled "An Act for the relief of the inhabitants of cities and towns upon the public lands, approved March 2, 1867, approved Feb. 17, 1869, and the amendments thereto.

Read first time and filed for second reading.

Rules suspended, Ayes—16.

Read second time by sections and amended.

Referred to the Committee on Judiciary.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 34, A Bill to amend

Section 5374 Compiled Laws of Utah of 1888, relating to fugitives from justice, and same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO. 34.

A Bill to amend Section 5274 of the Compiled Laws of Utah, 1888, relating to fugitives from justice.

Read first time by its title, and referred to the Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day granted request for conference committee on H. F. No. 50, and names Messrs. Hall and Barton as Council's conferees thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed House substitute for C. F. No. 15 with amendments, same is herewith returned to you for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO HOUSE SUBSTITUTE TO  
C. F. No. 15.

Read and with bill referred to the Committee on Judiciary.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted Conference Committee's report on H. F. No. 50, and as amended in consonance therewith has passed same, and the bill is herewith returned o you for further action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## REPORT OF COMMITTEE ON CONFERENCE.

Council Chamber,  
March 8, 1890.

*Mr. Speaker:*

Your Committee on Conference on H. F. No. 50, report tha they have met with a like committee of the Council, and that the Council committee have recommended that the Council recede from the amendments to the title so far as Section 2954, of the Compiled Laws, 1888, is inserted as repealed and so far as said section is inserted in the repealing clause of the last section, and we recommend that this House concur in all other Council amendments.

THURMAN,  
KIMBALL,  
*Committee.*

## CONSIDERATION OF REPORT.

Read and adopted.

Amendments to H. F. No. 50, read and concurred in.  
Bill read third time and passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Johnson, Kimball, Lowe, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—19.

Noes—0.

Absent—Hammond, Howell, Lund, Smith—4.

Title approved.

Bill referred to the Committee on Enrollment.

On motion of Mr. Thurman, House adjourned at 12 p.m., until 2 p. m. Monday, March 10th, 1890.

Benediction by the Chaplain.



## FIFTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Monday, March 10, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the fifty-fifth day approved.

## SECOND READING OF BILLS (CONTINUED).

C. F. No. 13, A Bill amending Sections 2198, 2199 and 2200, relating to bees, read second time by sections.

Rules suspended—Ayes, 16.

Bill read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—0.

Absent—Kimball, Melville, Smith—8.

Title amended and approved.

## COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 4, 1890.

*Hon. James Sharp, Speaker of the House:*

Sir—I return H. F. No. 41, entitled “An Act amending Sections 2576, 2577, 2578 and 2582 of the Compiled Laws of Utah of 1888, relating to the adoption of children” without approval.

The proposed act, so far as it amends and changes the existing law on the subject of adoption, enables anyone, who has the actual custody of a child, who has no known parent or guardian, to make the petition and represent the child in the proceedings before the court, though the person making the petition has no right to relinquish except such



as actual custody may give, and though the child may have known near relatives.

The present law contemplates that the petitioner who acts for the child has some natural or imposed right of custody to relinquish, and that he shall relinquish it by the proceeding. I think the petitioner should before being vested with the power to procure an adoption of the child, have some authority higher than the authority which actual custody may give.

The existing law permits the appointment of a guardian of the person or estate of a child, or of both person and estate. When a guardian is appointed he may act under the law concerning adoption as it now stands. He would have the power to make the relinquishment contemplated by the existing act, and would be a person selected by the probate judge as suitable for the position, and would act under the obligation of official duty and in an official capacity. His relinquishment of the child to an adopted parent would have the sanction of lawful authority, and the existing law is adequate for such a proceeding.

In view of the importance of the subject, and the policy of Congressional legislation in regard to heirship, I do not consider the present law imposes any undue restrictions on adoption, and that it should not be so amended as to permit one having only actual custody of a child and no natural authority or official authority granted by law to initiate and conduct the proceeding in behalf of a child.

I am, very respectfully,

ARTHUR L. THOMAS,  
*Governor.*

Executive Office,  
Salt Lake City, Utah,  
March 10, 1890,

*Hon. James Sharp, Speaker of the House:*

Sir.—I have this day approved and filed in the office of the Secretary of the Territory, H. F. No. 55, entitled “An Act to encourage the manufacture of native or Portland cements in Utah Territory;” H. F. No. 61, entitled “An Act to amend Section 2236 of the Compiled Laws of Utah of 1888, relating to division fences;” H. F. No. 68, entitled “An Act amending Section 10 of the Compiled Laws of Utah of 1888, relating to the Territorial Treasurer;” H. F. No. 75, entitled “An Act to amend Section 2092 of the Compiled Laws of Utah of 1888, relating to highways;” H.

F. No. 79, entitled "An Act amending Section 2411 of the Compiled Laws of Utah of 1888, relating to irrigation companies;" H. F. No. 90, entitled "An Act attaching a part of Sevier County to Sanpete County;" also a Memorial to the Senate and House of Representatives of the United States, with respect to a deep water harbor on the Gulf Coast, certified copies of which will be sent to Congress.

I am, sir, very respectfully,

ARTHUR L. THOMAS, *Governor.*

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency, the Governor, approving C. F. No. 3, An Act amending Sections 2114, 2115 and 2116 of the Compiled Laws of Utah of 1888; also, C. F. No. 28, An Act amending Sections 3302 and 3303 and repealing Sections 3301 and 3304 of the Compiled Laws of Utah of 1888, relating to injunction.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted H. M. No. 4, and the same is herewith returned to you.

Very respectfully,

FRANK J. CANNON;  
*Chief Clerk.*

Memorial referred to Committee on Enrollment.

REPORT FROM THE COMMITTEE ON ENROLLMENT

Committee Room,  
March 10, 1890.

*Mr. Speaker:*

Your Committee on Enrollment, respectfully report

that the following bills referred to them for enrollment have been correctly enrolled, signed by the Speaker of the House and President of the Council, and were at 2 p.m. this day forwarded to His Excellency the Governor for his official action thereon, viz., H. F. No. 8, "A Bill to provide for the protection of fish, and for the appointment of the territorial and county commissioners." H. F. No. 49, "A Bill to secure liens to mechanics and others and to repeal all other acts and laws in relation thereto." H. F. No. 50, "A bill to secure to ranchmen, tavern-keepers, and other persons liens on personal property, and repealing Sections 2955, 2956, 2957, 2958, 2959 and 2960 of the Compiled Laws of Utah." H. F. No. 51 (Council substitute), "A Bill amending Sections 2531, 2532 and 2533 of the Compiled Laws of Utah, 1888, providing for the release of dower." H. F. No. 54, "A Bill amending Section 2591, Compiled Laws of Utah, of 1888, regulating marriage." H. F. No. 58, "A Bill amending Sections 2158, 2160, and 2169 of the Compiled Laws of Utah of 1888, relating to intoxicating liquors." H. F. No. 65, "A Bill to provide right of way and easements for the development of mines," and H. J. R. No. 3, "A resolution approving and adopting the Compiled Laws of Utah of 1888."

Respectfully,

BENNION, *Chairman.*

## SECOND READING OF BILLS (CONTINUED).

C. F. No. 20.

Read second time by sections, amended and placed on the general file for third reading.

C. F. No. 38, A Bill amending Section 4170 of the Compiled Laws of Utah, 1888, relating to probate procedure, read second time by sections and amended.

Rules suspended—Ayes, 18.

Bill read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes —0.

Absent—Kimball, Smith—2.

Title amended and approved.

C. F. No. 21, A Bill amending Section 2119 of the Compiled Laws of Utah, 1888, relating to interest.



Read second time by sections.

Rules suspended—Ayes 16.

Bill read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Thurman, Williams, Wood—17.

Noes—Johnson, Stewart—2.

Absent—Hammond, Howell, Kimball, Smith—4.

Title amended and approved.

C. F. No. 56, A Bill amending 2360 of the Compiled Laws of Utah, 1888, relating to railroad corporations.

Read second time by sections.

Rules suspended—Ayes, 16.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Russell, Reid, Robison, Sargent, Stewart, Williams, Wood—17.

Noes—Pierce, Thurman—2.

Absent—Kimball, Melville, Porter, Smith—4.

Title amended and approved.

H. F. No. 89, read second time by sections and placed on the general file for third reading.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 13, and the same has been passed and referred to the Committee on Enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### THIRD READING OF BILLS.

C. F. No. 31, read third time, amended and rejected.

Ayes—Allen, Bennion, Creer, Ferry, Johnson, Thurman, Williams—7,

Noes—Hammond, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Wood—12.

Absent—Ferrin, Howell, Kimball, Smith—4.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 21 (substitute), C. F. No. 38 (substitute) and C. F. No. 56, said bills have been referred to the Committee on Enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

MISCELLANEOUS BUSINESS.

By the Speaker—A claim from A. W. Nebeker, assessor and collector, Rich County, for uncollected taxes, for the years 1884 and 1887, amount \$19 12.

Referred without reading to the Committee on Claims and Public Accounts.

PRESENTATION OF PETITIONS.

By Mr. Reid.—From the county court of Sanpete County asking an appropriation of \$2,000 for repairing roads and bridges in said county.

Referred without reading to the Committee on Counties.

REPORTS OF STANDING COMMITTEES.

House of Representatives,  
March 8, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to whom was referred C. F. No. 58, A Bill to protect irrigation companies, have duly considered the same, and recommend that it be put upon its passage.

Respectfully,  
ROBISON, *Chairman.*



## CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 58, filed for second reading.

Committee Room,  
March 10, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of W. E. French, sheriff of Uintah County, asking for the sum of \$257.25 for service in arresting, care for, and mileage in bringing three prisoners from Fort Duchesne to Salt Lake City, beg to report that we have duly considered the same, and as a relief for said officer, your committee recommend that one half of said claim be allowed and paid by the Territory, and that \$128.62 be placed in the general appropriation bill for said purpose.

CREER, *Chairman*.

## CONSIDERATION OF REPORT.

Report read and adopted.

Mr. Ferry moved that the whole amount be allowed.

Carried.

Committee on Appropriations instructed.

Legislative Hall,  
Salt Lake City,  
March 10, 1890.

*Mr. Speaker:*

Your Committee on Mines and Mining, to whom was referred H. F. No. 95, "A Bill establishing a chair of geology and mineralogy in Deseret University," respectfully report that they have had the bill under consideration, and report the same back to the House without recommendation.

E. P. FERRY, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 95 filed for second reading.

House of Representatives,  
March 10, 1890.

*Mr. Speaker:*

Your Committee to whom was referred C. F. No. 16

(substitute), "A Bill to prevent the spread, and providing for the treatment of contagious disease among sheep," be leave to report the same back, and after careful consideration recommend that it pass.

Very respectfully,

JOHNSON, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 16 filed for second reading.

Committee Room,

March 10, 1890.

*Mr. Speaker:*

Your Committee on Education, have duly considered Council File No. 18, which was referred to them. We herewith present amendments to the bill, and recommend that they be adopted and that the bill, thus amended be put upon its passage.

Yours respectfully,

ALLEN, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments recommended by committee adopted.

C. F. No. 18 filed for second reading

House of Representatives,

March 10, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred H. F. No. 82, A Bill to amend Sections 2515 and 2518 of the Compiled Laws of Utah of 1888, relating to banking associations and adding a new Section to said act to be known as 2519 a, herewith report the same back and recommend that the same be put upon its passage.

Respectfully,

HAMMOND, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 82, filed for second reading.

Representative Hall,  
March 10, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred C. F. No. 29, A Bill to provide for the organization of Mutual Fire Insurance Companies," herewith report the same back and recommend that the same be put upon its passage.

Respectfully,  
HAMMOND, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 29 filed for second reading.

House of Representatives,  
March 10, 1890.

*Mr. Speaker:*

The Committee on Judiciary, to whom was referred C. F. No. 34, A Bill relative to "fugitives from justice," recommend that the bill be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 34 filed for second reading.

Representative Hall,  
March 10, 1890.

*Mr. Speaker:*

Your Committee on Judiciary have considered C. F. No. 61, and recommend that it be amended by striking out "or hereafter" in line 3 Section 1, and by inserting "and county clerks" after "recorders" in line 5, Section 2, and when so amended, that the bill be put on its passage.

THURMAN, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Amendments recommended by the Council adopted.

C. F. No. 61 filed for second reading.

House of Representatives,  
March 10, 1890.

*Mr. Speaker:*

The Committee on Municipal Corporations and Towns to whom was referred C. F. No. 57, concerning the laying out and platting of towns, recommend that the bill be passed on its passage.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 57 placed on file for second reading.

Representative Hall,  
March 10, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred H. F. No. 93, relating to the place of trial of civil action, recommend that the bill be put on its passage.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 93, filed for second reading.

Representative Hall,  
March 10, 1890.

*Mr. Speaker:*

Your Committee on the Judiciary, to whom was referred H. F. No. 92, providing for the payment of juror witnesses and phonographic reporters, and creating and defining the duties of court commissioners, respectfully recommend that the bill be put on its passage.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 92, filed for second reading.

Ordered printed.

Committee Room,  
March 10th, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that H. M. No. 4, asking Congress to grant to Utah Territory, for a public park, a certain portion of Big Cottonwood Canyon



has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day, at 4:30 p. m., forwarded to the Governor for official action thereon.

Respectfully,

BENNION, *Chairman.*

#### SPECIAL ORDER OF THE DAY.

C. F. No. 42.

Read third time, amended and passed.

Ayes—Bennion, Creer, Ferry, Hammond, Howell, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Sargent, Stewart, Williams, Wood—16.

Noes—Allen, Pierce—2.

Absent—Ferrin, Johnson, Kimball, Smith, Thurman—5.

Title amended and approved.

House took recess at 5.20 p. m., until 7.30 p. m.

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7:30 p. m.

House resumed session.

The Speaker in the chair.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,

Council Chamber,

March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments to C. F. No. 42, and requests a Conference Committee thereon, naming Messrs. Bryan and Lund as its conferees.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

#### CONSIDERATION OF COMMUNICATION.

Conference Committee granted.

The Speaker named Messrs Creer and Thurman as conferees on the part of the House.

Utah Legislature,

Council Chamber,

*Mr. Speaker:*

March 10, 1890.

I am directed to inform your honorable body that the



Council has this day passed C. F. No. 51, A Bill prescribing the qualifications of electors and office holders, providing for registration of voters and regulating the manner of conducting elections, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. No. 51.

A Bill prescribing the qualifications for electors and office-holders, providing for the registration of voters and regulating the manner of conducting elections.

Read first time by its title and referred to the Committee on Elections.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 66, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COJNCIL AMENDMENTS TO H. F. No. 66.

Amendments not concurred in.

Conference Committee asked for. The Speaker named as conferees on the part of the House Messrs. Hammond and Pierce.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day adopted C. M. No. 3, and the same is herewith forwarded to you for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF MEMORIAL.

C. M. No. 3 :

*To the Senate and House of Representatives of the United States in Congress Assembled:*

We, your memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully petition you to enact into law, Senate file No. 326, "A Bill ceding upon condition, public lands to the State of California and other existing States, and to the eventual States to be formed out of the existing Territories, in aid of the irrigation of dry and arid lands."

We believe that such a law would greatly aid the important work of reclamation of vast tracts of land now useless, and would add to the population, wealth and grandeur of this country's western domain.

And your memorialists will ever pray.

Read and adopted.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted, with amendments, H. M. No. 2, and the same is herewith returned for your further action.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COUNCIL AMENDMENTS TO H. M. NO. 2.

Read and concurred in.

Memorial referred to the Committee on Enrollment.

## SECOND READING OF BILLS.

H. F. No. 96, pending second reading, laid over for the day.

H. F. No. 73, "A Bill to amend subdivision 11 of Section 3429 of the Compiled Laws of Utah, 1888, relating to the code of civil procedure."

Read second time by sections. Amended.

Rules suspended—Ayes, 17.

Bill read third time by its title and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Stewart, Thurman, Wood—18.

Noes—Hammond, Robison, Sargent—3.

Absent—Smith, Williams—2.

Title approved.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted C. M. No. 4, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF MEMORIAL.

Read and referred to the Committee on Memorials to Congress.

#### SECOND READING OF BILLS (CONTINUED).

H. F. No. 82, read second time by sections, amended and placed on the general file for third reading.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed with amendments H. F. No. 85, "providing for the discharge of contracts affecting real estate" and the same is herewith forwarded to you for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO. 85.

Read and concurred in.

Bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Wood—22.

Noes—0

Absent—Williams—1.

Bill referred to the Committee on Enrollment.

## SECOND READING OF BILLS (CONTINUED).

H. F. No. 95, read second time by sections and placed on the general file for third reading.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day granted request for conference committee on H. F. No. 66, and names Messrs. Booth and Lund as Council conferees.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 60, A Bill to encourage manufactures and paying bounty therefor, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. NO. 60.

A Bill to encourage manufactures and paying bounties therefor.

Read first time by its title and referred to the Committee on Manufacture and Commerce.

SECOND READING OF BILLS (CONTINUED).

C. F. No. 16, A Bill for an act to prevent the spread and providing for the treatment of contagious diseases of sheep.

Read second time by sections. Amended.

Rules suspended. Ayes—21.

Bill read third time by title and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Wood—20.

Noes—Johnson, Thurman—2.

Absent—Williams—1.

Title approved.

REPORT OF CONFERENCE COMMITTEE.

Committee Room,  
March 10, 1890.

*Mr. Speaker:*

Sir.—Your committee to confer with a like committee from the Council, upon the disagreements between the two houses upon the amendments to H. F. No. 66, beg leave to report that said committee has conferred together and recommend that the House agree to the Council amendments to said bill.

Respectfully,  
HAMMOND,  
PIERCE.

CONSIDERATION OF REPORT.

Read and adopted.

Council amendments concurred in.

H. F. No. 66 passed as amended.

Ayes—Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Lowe, Melville, Porter, Pierce, Russell, Robison, Smith, Stewart—14.

Noes—Allen, Johnson, Kimball, Lund, Reid, Sargent, Wood—7.

Absent—Thurman, Williams—2.

Bill referred to the Committee on Enrollment.



## REPORT OF COMMITTEE ON CONFERENCE.

*Majority Report.*

Committee Room,  
March 10th, 1890.

*Mr. Speaker:*

Your Committee on Conference, on C. F. No. 42, appointed to confer on the disagreement on the amendments of the House to said bill, respectfully report that they have met and considered the matter referred to them, and a majority of said committee recommend that the House recede from the amendment to said bill, by which the following proviso was added to Section 1892 of the Compiled Laws of 1888, to wit: "*Provided* that a trustee herein mentioned shall not be eligible to serve as superintendent of the Territorial Reform School," and that the Council do concur in all other House amendments to said bill.

Respectfully,  
W A. C. BRYAN,  
R. C. LUND,  
JAMES N. KIMBALL.

*Minority Report.*

Committee Room,  
March 10, 1890.

*Mr. Speaker:*

I beg to submit a minority report of Conference Committee on C. F. No. 42 in this, the Council refuse to concede to the amendment made by the House to Section 1892, providing that a trustee of the Territorial Reform School may not be eligible to appointment as superintendent of said Reform School, believing that the position taken by the House in said amendment is important and eminently proper, because it shuts out personal supervision upon the actions of the more immediate management of a very important institution.

CREER.

## CONSIDERATION OF MAJORITY REPORT.

Read and rejected.

C. F. No. 18, A Bill amending Section 1835 of the Compiled Laws of Utah, 1888, relating to the University.

Read second time by sections.

Rules suspended—Ayes 16.

Bill read third time, and passed.

Ayes—Allen, Bennion, Ferrin, Ferry, Hammond, Howell, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman—19.

Noes—0.

Absent—Ferrin, Johnson, Williams, Wood—4.

Title amended and approved.

C. F. No. 58, A Bill to protect irrigation companies.

Read second time by sections.

Rules suspended.—Ayes 16.

Bill read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Kimball, Lowe, Lund, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Wood—18.

Noes—0.

Absent—Johnson, Melville, Porter, Thurman, Williams—5.

Title approved.

C. F. No. 29, read second time by sections, and placed on general file for third reading.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 53, A Bill in relation to the University of the State of Deseret, and providing for the disposal of University lands, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. NO. 53.

Read first time by its title and referred to the Committee on Education.

#### SECOND READING OF BILLS (CONTINUED).

C. F. No. 57, A Bill concerning the laying out and platting of towns.

Read second time by sections. Amended.

Rules suspended—Ayes 16.

Bill read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Robison, Smith, Stewart, Thurman, Wood—19.

Noes—Reid—1.

Absent—Howell, Sargent, Williams—3.

Title approved.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments to C. F. No. 16, and requests a Conference Committee thereon, naming Messrs. Lund and Hall as its conferees.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COMMUNICATION.

Conference Committee granted. The Speaker named as conferees on the part of the House Messrs. Bennion and Pierce.

#### SECOND READING OF BILLS (CONTINUED).

C. F. No. 61 read second time by sections.

Rules suspended—Ayes 16.

Pending third reading.

Referred to the Committee on Judiciary.

C. F. No. 34, A Bill to amend 5274 of the Compiled Laws of Utah of 1888, relating to fugitives from justice.

Read second time by sections. Amended.

Rules suspended—Ayes 17.

Bill read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Wood—19.

Noes—0.

Absent—Lowe, Lund, Thurman, Williams—4.  
Title amended and approved.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 18, "amending Section 1835 of the Compiled Laws of Utah of 1888, relating to University," and the same has been referred for enrollment.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

REPORTS OF COMMITTEE ON ASYLUMS.

Representatives Hall,  
March 10, 1890.

*Mr. Speaker:*

Your Committee on Asylum for the Insane, to whom was referred C. F. No. 48, A Bill amending Section 1941 S 2, of the Compiled Laws of Utah, of 1888, relating to Insane Asylum, beg leave to report the same without amendment and recommend that it be put upon its passage.

Respectfully,

L. S. WOOD, *Chairman.*

CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 48 filed for second reading.

SECOND READING OF BILLS (CONTINUED).

H. F. No. 93 read second time by sections, and placed on the general file for third reading.

C. F. No. 48, A Bill amending Section 1941 S 2, of the Compiled Laws of Utah, of 1888, relating to the Reform School.

Read second time by sections.

Rules suspended—Ayes, 16.

Bill read third time.

Ayes—Bennion, Ferrin, Ferry, Howell, Johnson, Kimball, Porter, Pierce, Russell, Reid, Robison, Smith, Stewart, Wood—14.

Noes 0.

Absent—Allen, Creer, Hammond, Lowe, Lund, Melville, Sargent, Thurman, Williams—9.

Title approved.

10:35 p. m. House took recess subject to the call of the chair.

10:45 p. m.

Speaker called the House to order.

Conference Committee's verbal report on House substitute for C. F. No. 41, that the House concurred in Council amendments.

#### CONSIDERATION OF REPORT.

Adopted.

House concurred in Council amendments.

Bill read third time and passed.

Ayes—Creer, Hammond, Howell, Johnson, Kimball, Melville, Porter, Russell, Reid, Robison, Smith, Sargent, Thurman, Wood—14.

Noes—Allen, Pierce, Sargent—3.

Absent—Bennion, Ferrin, Ferry, Lowe, Lund, Williams—6.

On motion of Mr. Pierce, House adjourned, at 10:55 p. m. until 2 p. m. to-morrow, March 11.

Benediction by the Chaplain.

#### FIFTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,

City Hall, Salt Lake City, Utah,

Tuesday, March 11th, 1890.

2 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.



Journal of the fifty-seventh day approved.

COMMUNICATION FROM GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 10, 1890.

*Hon. James Sharp, Speaker of the House:*

Sir.—I have this day approved and filed with the Secretary of the Territory H. J. R. No. 3, entitled “A resolution approving and adopting the Compiled Laws of Utah of 1888,” also, H. F. No. 54, entitled, “An Act amending Section 2591 Compiled Laws of Utah of 1888, regulating marriage,” also a memorial to the United States Senate and House of Representatives, respecting the setting apart of land at the head of Big Cottonwood Canyon for a public park, certified copies of which will be sent to Congress.

I am, very respectfully,  
ARTHUR L. THOMAS, *Governor.*

Executive Office,  
Salt Lake City Utah,  
March 10, 1890.

*Hon. James Sharp, Speaker of the House of Representatives.*

Sir.—I return herewith H. F. No. 63, entitled “An Act requiring notaries public to affix to acknowledgments the date of the expiration of their commissions,” without approval.

There are a great many notaries public in Utah Territory, many of them living in remote portions of the Territory.

It seems to me the act should provide that it shall not take effect until Jan. 1, 1891, and that the secretary of the Territory should be required to mail to each notary public a copy of the law.

If these amendments are incorporated in the act, I will approve it.

I am, very respectfully,  
ARTHUR L. THOMAS,  
*Governor.*

Governor's communication and H. F. No. 63, referred to the Committee on Judiciary.

## REPORTS OF STANDING COMMITTEES.

Committee Room,  
March 11, 1890.

*Mr. Speaker:*

Your Committee on Elections, to whom was referred C. F. No. 51, A Bill prescribing the qualifications of electors, officeholders, registration of voters, and regulating the same, having considered said bill recommend that it be put upon its passage.

CREER, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 51 filed for second reading.

Legislative Hall,  
March 11, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of Joseph A. Lyman, Assessor and Collector of Millard County for \$150.56, on account uncollected taxes of indigent poor and transitory herds, having considered said claim, recommend that said amount be allowed and placed in the general appropriation bill.

CREER, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriation instructed.

Committee Room,  
March 11, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of A. Kuhn & Bro., for unpaid certificates of jury service amounting to \$14.00, having duly considered said claim, recommend that the same be allowed, and that the amount be placed in the appropriation bill.

CREER, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriation instructed.

Salt Lake City,  
March 11, 1890.

*Mr. Speaker:*

Your Committee on Manufactures and Commerce, to whom was referred H. F. No. 94, A Bill to provide for the appointment of commissioner to the "World's Fair," beg to report that we have duly considered the same, and recommend that it be put upon its passage.

Respectfully,  
W. H. SMITH, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 94 filed for second reading.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 63, "A Bill amending Sections 3529, 3750 and 3754, Compiled Laws, 1888, relating to actions for the usurpation of office and for contesting certain elections," and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. NO. 63.

A Bill amending Sections 3529, 3750, 3754 of the Compiled Laws of Utah of 1888.

Read first time by its title and referred to Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day heard read a communication from His Excellency, the Governor, approving:

C. F. No. 13, An Act amending Sections 2198, 2199 and 2200 of the Compiled Laws of Utah of 1888, relating to bees; also,

C. F. No. 21, An Act amending Section 2119 of the Compiled Laws of Utah of 1888, relating to interest; also,

C. M. No. 3, a memorial with respect to Senate bill 326.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. 22, as amended in consonance with the accompanying recommendation of His Excellency, the Governor, and the same is herewith forwarded for your action; also has concurred in House amendments to C. F. 57, and has adopted Conference Committee report on House substitute for C. F. 41, and the same are sent to Enrolling Committee.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### GOVERNOR'S COMMUNICATION.

Executive Office,  
Salt Lake City, Utah,  
March 10, 1890.

*Hon. F. S. Richards, President of the Council:*

Sir.—I return C. F. No. 22, entitled "An Act amending Sections 1824, 1825, 1826 and 1828 of the Compiled Laws of Utah, 1888, relating to the organization of towns; and enacting new sections relating to the government and disincorporation of towns, to be numbered 1828 a, 1828 b, 1828 c,

1828 d," and respectfully submit a substitute section for Section 1826, S 8, which, if adopted, will remove the objection I now have to the section in its present form. It seems to me to be too severe for the purpose intended.

I am, very respectfully,

ARTHUR L. Thomas, *Governor.*

#### CONSIDERATION OF C. F. NO. 22.

Amendment offered by the Governor read and adopted. Bill as amended, read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Lowe—1.

Title approved.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 10, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments to C. F. No. 34, and asks Conference Committee thereon, naming Messrs. Hall and Bryan as its conferees.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COMMUNICATION.

Conference Committee granted. The Speaker named as conferees on the part of the House Messrs. Sargent and Pierce.

#### REPORT OF COMMITTEE ON JUDICIARY.

Representative Hall,  
March 11, 1890.

*Mr. Speaker:*

Your Judiciary Committee, to whom was referred House



substitute to C. F. No. 15, "A Bill to authorize probate courts to grant orders in certain cases, etc.," for the purpose of considering Council amendments thereto, advise the adoption of the said amendments and when so amended recommend the bill be put on its passage.

THURMAN, *Chairman*

CONSIDERATION OF REPORT.

Read and adopted.

Council amendments concurred in.

C. F. No. 15, read third time and passed as amended by the Council.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Kimball, Lund, Melville, Porter, Robison, Russell, Smith, Sargent, Thurman, Williams, Wood—17.

Noes—Allen, Pierce, Reid, Stewart—4.

Absent—Ferry, Lowe—2.

Title approved.

Representative Hall,

March 11, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No. 45, beg leave to return the same with a substitute therefor, and recommend that the substitute be put upon its passage.

THURMAN, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Substitute for C. F. No. 45, read and adopted.

Original bill rejected.

C. F. No. 45 (substitute) filed for second reading.

Ordered printed.

Representative Hall,

March 11, 1890.

*Mr. Speaker:*

Your Committee on the Judiciary, to whom was referred H. F. 97, "A Bill amending the probate procedure," herewith return the same and recommend that it be put on its passage.

THURMAN, *Chairman*.

## CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 97 filed for second reading.

## REPORT OF SELECT COMMITTEE.

Legislative Hall,  
March 11, 1890.

*Mr. Speaker :*

Your Committee on Conference, to whom was referred the matter of disagreement to the amendments offered by the House to Council File No. 2, 'A Bill requiring railroad train dispatchers to make public the time of departure of trains,' beg leave to report that after consideration of the amendments, the Council Committee agree to recommend that the Council concur in said House amendments.

REID, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

## INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Pierce (by unanimous consent), H. F. No. 98, A Bill to amend Sections 418 and 38 of the Compiled Laws of Utah of 1888, relating to probate procedure.

Read first time by its title and referred to the Committee on Judiciary.

By Mr. Robison (by unanimous consent), H. F. No. 99, A Bill creating the office of county watermaster and defining the duties thereof.

Read first time by its title and referred to the Committee on Agriculture and Irrigation.

## THIRD READING OF BILLS.

H. F. No. 92, read second time by Sections. Amended and placed on the general file for its third reading.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day requested a second Conference

Committee on C. F. No. 42, A Bill, etc., relating to reform school. The President names Messrs. Barton and Hall as Council's conferees.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COMMUNICATION.

Conference Committee granted. The Speaker named Messrs. Creer and Allen as conferees on the part of the House.

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. 67, A Bill creating a bureau of statistics.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## SECOND READING OF BILLS (CONTINUED).

C. F. No. 51.

Read second time by sections, amended and placed on the general file for third reading.

H. F. No. 94, read second time by sections. Amended. Rules suspended—Ayes, 16.

Made special order for to-morrow, March 12, 1890.

H. F. No. 97, read second time by sections and placed on the general file for third reading. Ordered printed.

Mr. Ferrin excused at 4 p.m. until 2 p.m. to-morrow March 12, 1890.

## REPORT OF COMMITTEE ON CONFERENCE.

Council Chamber,  
March 11, 1890.

*Mr. Speaker:*

Your Committee on Conference on C. F. No. 34, have conferred with a like committee of the Council. The joint committees of both houses have agreed to recommend that the Council adopt all House amendments to said bill.

SARGENT,  
PIERCE,  
*Conferees for House.*

## CONSIDERATION OF REPORT.

Read and adopted.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day adopted report of Conference Committee on C. F. No. 2, and as amended has passed same and referred it to Committee on Enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker.*

I am directed to inform your honorable body that the Council has this day heard read a communication from His Excellency, the Governor, disapproving C. F. 26, An Act amending Sections 3373 and 3374 of the Compiled Laws of Utah, of 1888, relating to trials by juries in civil proceedings.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## REPORT FROM THE COMMITTEE ON ENROLLMENT.

Committee Room,  
March 11, 1890.

*Mr. Speaker :*

Your Committee on Enrollment respectfully report that the following bills referred to them for enrollment, have been correctly enrolled, signed by the Speaker of the House and President of the Council and were this day at 11 a. m. forwarded to the Governor of the Territory for his action thereon, viz.:

H. F. No. 66 (substitute for H. F. Nos. 9 and 12), A Bill to amend Section 2349, S. 35, of the Compiled Laws of Utah of 1888, relating to railroad corporations.

H. F. No. 85, "A Bill providing for the discharge of contracts affecting real estate," and

H. M. No. 2, relating to the leasing of school lands in Utah Territory.

Respectfully etc.,  
BENNION, *Chairman*.

### THIRD READING OF BILLS.

C. F. No. 20, A Bill for the protection of game and birds.

Read third time by sections, amended and passed.

Ayes—Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Russell, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—18.

Noes—Allen, Pierce, Reid—3.

Absent—Bennion, Ferrin—2.

Title approved.

H. F. No. 89, A Bill amending Sections 2268, 2272, 2273 and 2277 of the Compiled Laws of Utah of 1888, relating to private corporation.

Bill read third time amended and passed.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Porter, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—Pierce—1

Absent—Ferrin, Porter—2.

Title approved.

H. F. No. 82, A Bill to amend Sections 2515 and 2518 of the Compiled Laws of Utah of 1888, relating to banking associations, and to add to said act a section to be known as Section 2519.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferry, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Stewart, Thurman, Williams, Wood—18.

Noes—Howell, Sargent—2.

Absent—Ferrin, Hammond, Russell—3.

Title approved.

### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,

*Mr. Speaker:*

March 11, 1890.

I am directed to inform your honorable body that the



Council has this day amended C. F. 56, in conformity with the recommendation of His Excellency, the Governor, as stated in his communication enclosed herewith. The Council has passed the bill as amended and it is now forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Executive Office,  
Salt Lake City, Utah,  
March 11, 1890.

*Hon. F. S. Richards, President of the Council:*

Sir.—I return, without approval, C. F. No. 56, entitled, "An Act amending Section 2360 of the Compiled Laws of Utah of 1888, relating to railroad corporations."

If it amended so as to provide "that none of such roads consolidating shall be parallel or competitive, but shall be substantially continuous and connective, I will approve it.

I am, very respectfully,  
ARTHUR L. THOMAS, *Governor.*

#### CONSIDERATION OF AMENDMENTS RECOMMENDED BY THE GOVERNOR.

Read and concurred in.

C. F. No. 56, passed as amended.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Melville, Porter, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—19.

Noes—Pierce—1.

Absent—Ferrin, Lund, Russell—3.

#### THIRD READING OF BILLS (CONTINUED).

H. F. No. 95, A Bill establishing a chair of geology and mineralogy in the Deseret University

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferry, Howell, Johnson, Kimball, Lowe, Lund, Melville, Pierce, Russell, Reid, Robison, Smith, Stewart, Thurman, Williams, Wood—19.

Noes—Porter, Sargent,—2.

Absent—Ferrin, Hammond—2.

Title approved.

C. F. No. 29, A Bill to provide for the organization of mutual fire insurance companies.

Read third time amended and rejected.

Ayes—Bennion, Creer, Johnson, Porter, Russell, Reid, Robison, Sargent, Thurman—9.

Noes—Allen, Howell, Kimball, Melville, Pierce, Smith, Stewart, Williams, Wood—9.

Absent—Ferrin, Ferry, Hammond, Lowe, Lund—5.

H. F. No. 93, pending third reading made special order for to morrow March 12.

#### REPORT FROM THE JUDICIARY COMMITTEE.

Representative Hall,  
March 11, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No. 61 and H. F. No. 90, supplementary to and amendatory of an act prescribing rules and regulations for the execution of the trust arising under an act of Congress, entitled "An Act for the relief of the inhabitants of cities and towns, etc.," respectfully recommend that the Council bill be amended by striking out Section 2, and that the bill as amended be put on its passage, and that the House bill be rejected.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments recommended by the committee to C. F. No. 61 read and adopted.

C. F. No. 61 as amended, read third time and passed.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Ferrin—1.

Title approved.

H. F. No. 96 rejected.

#### COMMUNICATIONS FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 11, 1890.

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir—I have this day approved and filed in the office of

the Secretary of the Territory, entitled, "An Act to provide for the protection of fish and for the appointment of Territorial and County Commissioners;" also H. F. No. 51, entitled, "An Act amending Sections 2531, 2532 and 2533 of the Compiled Laws of Utah, 1888, providing for the release of dower;" also H. F. No. 85, entitled, "An Act providing for the discharge of contracts affecting real estate;" also H. M. No. 2, asking Congress to authorize the Territory to lease the school lands in the Territory, certified copies of which will be sent to Congress.

I am, very respectfully,

ARTHUR L. THOMAS, *Governor*.

Executive Office,

Salt Lake City, Utah,

March 11, 1890.

*Hon. James Sharp, Speaker of the House:*

Sir.—I return herewith H. F. No. 65, entitled, "An Act to provide right of way and easements for the development of mines."

I will approve the act if all of the proviso in Section 12 be stricken out. All laws which provide for the exercise of the right of eminent domain take the property from the owner without his consent and for that reason he should not be subjected to the costs of the proceeding incurred before an appraisal, because he is unwilling to sell his property at the price offered.

I am, very respectfully,

ARTHUR L. THOMAS, *Governor*.

Consideration of amendments recommended to H. F. No. 65 by the Governor.

Read and adopted.

Bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes — 0.

Absent—Ferrin—1.

Title approved.

## COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 11, 1890.

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir—I return herewith H. F. No. 58, entitled “An Act amending Sections 2158, 2160 and 2169 of the Compiled Laws of Utah of 1888, relating to intoxicating liquors.” The proposed law fixes the maximum amount to be collected for each license granted at \$1,500, whereas, under the existing law it is fixed at \$1,200, an amount not exceeded elsewhere.

The present liquor laws of the Territory seem to be all that is necessary for a complete regulation of the liquor traffic, and it is generally conceded that the sale of liquor is under better control in this Territory than probably any other Territory or State. While I am disposed to give to the municipal authorities all the power which they may need in this particular, I am firmly convinced that to now exact a larger tax from the sale of liquors may result in forcing the men who will obey the law, to leave the business, and may open the way to men who will seek to evade the law, and thus defeat the very purpose of the law. I do not believe it to be wise to engage in any experiments at this time.

I will approve an act embracing the provisions of Sections 2, 3, 4 and 5.

I am, very respectfully,  
ARTHUR L. THOMAS, Governor.

Consideration of H. F. No. 58, bill with the Governor's communication referred to the Committee on Judiciary.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor, announcing his approval of C. F.



No. 18, relating to University, and his disapproval of C. F. No. 48, relating to Insane Asylum.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### REPORT OF COMMITTEE ON CONFERENCE.

Committee Room,  
March 11, 1890.

*Mr. Speaker:*

Your Conference Committee on C. F. No. 16, have agreed that Section 3 of said bill be restored and amended as follows: "The provision of this section shall not apply to sheep unloaded in transit through the Territory, nor to sheep owned by residents of the Territory, which may be ranged a portion of the year without but near the boundaries of this Territory."

That Section 4 be restored with the following stricken out: "or living within three miles of any other sheep," and the following inserted in lieu thereof: "among or mingling with any other sheep not so afflicted."

That Section 5 be restored with the following words stricken out: After the word "act" in the 4th line strike out these words: "or shall fail or refuse to keep such deceased sheep at a distance of at least three miles from all other sheep;" also after the word "proved," in seventh line, strike out "to keep them at least three miles from all other sheep, and"

That Section 6 be restored; and we recommend the passage of the bill as amended.

Respectfully,  
BENNION,  
PIERCE,  
*Conferees on part of the House.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments recommended by the committee to C. F. No. 16 concurred in.

Bill passed as amended.

Ayes — Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lun<sup>d</sup>, Melville, Porter,



Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—22.

Noes—0.

Absent—Ferrin—1.

#### VERBAL REPORT OF THE COMMITTEE ON JUDICIARY.

That H. F. No. 58 be amended in accordance with the Governor's recommendation.

#### CONSIDERATION OF REPORT.

Adopted.

Amendments adopted.

Bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—21.

Noes—0.

Absent—Ferrin, Howell—2

#### MISCELLANEOUS BUSINESS.

By Mr. Sargent, a claim from George Dodds, County Clerk of Garfield County, for over assessment, years 1887, 1888 and 1889.

Referred without reading to the Committee on Claims and Public Accounts.

On motion of Mr. Allen, House adjourned at 6 p.m., until 10 a. m. to-morrow, March 12th, 1890.

Benediction by the Chaplain.

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#### FIFTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
March 12, 1890.

10 p. m.

House met pursuant to adjournment.

The Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the fifty-eighth day approved.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed as amended by House, H. F. No. 58, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

H. F. No 58 referred to the Committee on Enrollment.

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed H. F. No. 65, as amended by House in consonance with the Governor's recommendation; also, H. F. No. 89, and said bills are herewith returned to you.

Very respectfully.  
FRANK J. CANNON,  
*Chief Clerk.*

H. F. No. 65 and H. F. No. 89, referred to Committee on Enrollment.

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments to C. F. Nos. 61 and 20, and requests conference committees thereon; naming Messrs. Richards and Hall as Council conferees on 61 and Messrs. Benner and Olsen as Council conferees on 20.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COUNCIL COMMUNICATION.

Conference Committee granted on C. F. No. 61.

The Speaker named as conferees Messrs. Thurman and Kimball on part of the House.

Conference Committee granted on C. F. No. 20.

The Speaker named as conferees, Messrs. Porter and Howell on the part of the House.

Utah Legislature,  
Council Chamber,  
March 11, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 65, A Bill amending Section 1941 S. 2 of the Compiled Laws of Utah of 1888, relating to insane asylum, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. No. 65

A Bill amending Section 1941 of the Compiled Laws of Utah of 1888, relating to Insane Asylum.

Read first and second times and placed on the general file for third reading.

## REPORTS OF STANDING COMMITTEES.

House of Representatives,  
March 12, 1890.

*Mr. Speaker:*

Your Committee to whom was referred C. F. No. 60, A Bill to encourage manufactures and paying bounty therefor, report the same back without amendment and recommend it be put upon its passage forthwith.

Respectfully,  
W. H. SMITH, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 60 filed for second reading.

Representative Hall,  
March 12, 1890.

*Mr. Speaker:*

The Committee on the Judiciary, to whom was referred C. F. No. 63, "A Bill relating to actions for the usurpation of office and for contesting certain elections," report the same back and recommend its passage.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 63 filed for second reading.

Representative Hall,  
March 12, 1890.

*Mr. Speaker:*

Your Committee on Judiciary, to whom you referred H. F. No. 98, "A Bill to amend Section 4181 of the Compiled Laws of 1888, relating to probate procedure," have considered the same, and report it back and recommend its passage.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 98 filed for second reading.

#### CONFERENCE COMMITTEE REPORT.

Representative Hall,  
March 12, 1890.

*Mr. Speaker:*

Your Committee on Conference to whom was referred the disagreement on Section 2 of Council substitute for H. F. No. 19, report having considered the same and agreed to recommend an amendment to said section, and that the bill so amended be put on its passage.

L. S. WOOD.

#### CONSIDERATION OF REPORT.

Read and rejected.

H. F. No. 19, sent to the Council.

The Judiciary Committee made verbal report on H. No. 63, recommending a new section be added in conformity with the Governor's suggestion.

## CONSIDERATION OF REPORT.

Adopted.

Amendment recommended by committee adopted.

Rules suspended—Ayes, 16.

Bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Sargent, Thurman, Williams—18.

Noes—0.

Absent—Ferrin, Lowe, Russell, Stewart, Wood—5.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received your communication requesting the return to you of C. F. No. 31, and said bill is accordingly sent to you forthwith.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Mr. Pierce moved that the vote by which C. F. No. 31 was lost, be reconsidered. Carried.

Bill referred to the Committee on Municipal Corporations and Towns.

## SPECIAL ORDER OF THE DAY.

H. F. No. 93, A Bill amending Section 3200, S 257 of the Compiled Laws of Utah, 1888, relating to the place of trial of civil action.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Lund, Melville, Porter, Reid, Robinson, Sargent, Stewart, Thurman, Williams, Wood—17.

Noes—Kimball, Pierce—2.

Absent—Ferrin, Lowe, Russell, Smith—4.

Title approved.

H. F. No. 94, A Bill to provide for the appointment of Commissioners to the World's Fair.

Read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Stewart, Thurman, Williams, Wood—19.



Noes—0.

Absent—Ferrin, Lowe, Russell, Sargent—4.

Title approved.

#### SECOND READING OF BILLS.

H. F. No. 98, A Bill amending Section 4181 S 38, of the Compiled Laws of Utah of 1888, relating to probate procedure.

Read second time by sections.

Rules suspended—Ayes 16.

Bill passed.

Ayes—Allen, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Sargent, Stewart, Thurman, Wood—18.

Noes—0.

Absent—Bennion, Ferrin, Lowe, Russell, Williams—5.

Title approved.

C. F. No. 45 (substitute) A Bill providing for the compensation of certain county and precinct officers.

Read second time by sections, amended.

Roll call on amendments to C. F. No. 45 (substitute) Section 2, that the words \$3,000 be stricken out and \$4,000 be inserted in lieu thereof.

Ayes—Allen, Ferry, Kimball, Pierce, Smith, Williams—6.

Noes—Creer, Hammond, Howell, Johnson, Lund, Melville, Porter, Reid, Robison, Sargent, Stewart, Thurman, Wood—13.

Absent—Bennion, Ferrin, Lowe, Russell—4.

Rules suspended, Ayes—17.

C. F. No. 45 (substitute), read third time and rejected.

Ayes—Bennion, Creer, Johnson, Kimball, Reid, Robison, Stewart, Wood—8.

Noes—Allen, Ferry, Hammond, Howell, Lund, Melville, Porter, Pierce, Russell, Smith, Stewart, Thurman, Williams—13.

Absent—Ferrin, Lowe—2.

C. F. No. 60, A Bill to encourage manufactures and paying bounties therefor.

Read second time by sections, amended.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, as amended in accordance with Conference Committee's report, C. F. No. 16, and same is now referred for enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council requests a second conference committee on Council substitute for H. F. No. 19, and the President has named Messrs. Booth and Barton as Council conferees thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COMMUNICATION.

Conference Committee granted.

The Speaker named as conferees Messrs. Howell and Allen on part of the House.

By Mr. Hammond (by consent), a claim of Almy Matthews for jury service for the year 1885, amount \$30.64.

Referred to the Committee on Claims and Public Accounts.

House took recess at 12 noon until 2 p. m. this day.

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2 p. m.

House resumed session.

The Speaker in the chair.

## COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 12, 1890,

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir.—I have approved and filed in the office of the Secretary of the Territory H. F. No. 49, entitled “An Act to secure liens to mechanics and others, and to repeal all other acts and laws in relation thereto.”

I am, very respectfully,  
ARTHUR L. THOMAS,  
*Governor.*

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 34, and the same has been referred for enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. No. 23, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day passed, with amendments, H. F. No. 20, and the same is herewith returned for your action on said amendments.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO. 20.

Not concurred in.

Conference committee asked.

The Speaker named Messrs. Pierce and Thurman as conferees on the part of the House.

By Mr. Thurman by consent—

H. R. No. 7:

*Resolved*, By this House, that any rule of the House of Representatives that interferes with the first, second and third reading of bills or joint resolutions on the same day is hereby suspended during the remainder of the present session of the Legislative Assembly.

Read and adopted unanimously.

Report of the Committee on Agriculture and Irrigation, (by consent).

House of Representatives,  
March 12, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to whom was referred H. F. No. 99, A Bill creating the office of county watermaster, and prescribing his duties, report the same back, with a substitute bill, and recommend that the substitute be put upon its passage.

Respectfully,  
ROBISON, *Chairman.*

CONSIDERATION OF REPORT.

Read and adopted.

Substitute adopted, original H. F. No. 99 rejected.

Filed for second reading.

Ordered printed.

REPORT OF THE COMMITTEE ON ENROLLMENT.

Committee Room,  
March 12, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that

H. F. Nos. 58 and 65, A Bill amending Sections 2160, 2169 and 2170 of the Compiled Laws of Utah of 1888, relating to intoxicating liquors; and "A Bill to provide right of way and easements for the development of mines," respectively, as amended to meet the objections of the Governor; also, H. F. No. 89, "A Bill amending Sections 2268, 2272, 2273 and 2277 of the Compiled Laws, 1888, relating to private corporations," have been correctly enrolled, signed by the Speaker of the House and President of the Council, and forwarded at 12 noon to-day, to His Excellency the Governor for his action thereon.

Respectfully,  
BENNION, *Chairman.*

SECOND READING OF C. F. NO. 60 (CONTINUED).

Mr. Ferry moved to reconsider the motion by which Section 6 of C. F. No. 60 was amended and that the inserted language be stricken out. Carried.

Bill read third time, amended and passed.

Ayes—Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lund, Porter, Pierce, Russell, Reid, Robison, Smith, Stewart, Thurman, Williams—16.

Noes—Allen, Bennion, Kimball, Melville, Sargent, Wood—6.

Absent—Lowe—1.

Title approved.

C. F. No. 63 (second reading) A Bill amending Sections 2529, 3750 and 3754 of the Compiled Laws of Utah of 1888, relating to actions for the usurpation of office and for contesting certain elections.

Read second time by sections.

Read third time and passed.

Ayes—Creer, Ferrin, Ferry, Hammond, Howell, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Wood—18.

Noes—Allen, Bennion, Johnson, Williams—4.

Absent—Lowe—1.

Title approved.

Mr. Thurman moved for a reconsideration of the vote by which C. F. No. 45 (House substitute) was lost. Carried.

C. F. No. 45, taken up, read third time, amended and passed.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell,



Kimball, Lund, Porter, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—17.

Noes—Allen, Ferry, Pierce—3.

Absent—Johnson, Lowe, Melville.—3.

Title approved.

### THIRD READING OF BILLS.

C. F. No. 65, A Bill amending Sec. 1941 S2 of the Compiled Laws of Utah of 1888, relating to Insane Asylum.

Read third time and passed.

Ayes—Bennion, Creer, Hammond, Howell, Johnson, Kimball, Lund, Porter, Pierce, Russell, Reid, Stewart, Thurman, Wood—14.

Noes—Allen, Ferry, Melville, Robison, Williams—5.

Absent—Ferrin, Lowe, Smith, Sargent—4.

Title approved.

C. F. No. 51, A Bill for an act prescribing the qualifications for electors and office holders; providing for registration of voters, and regulating the manner of conducting elections.

Read third time, passed.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Lund, Melville, Porter, Russell, Reid, Robison, Sargent, Stewart, Thurman—15.

Noes—Allen, Ferry, Kimball, Pierce, Smith, Williams—6.

Absent—Lowe, Wood—2.

Title approved.

### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day granted request for conference committee on H. F. No. 20, naming Messrs. Hall and Richards as Council conferees thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 68, and the same is herewith forwarded for your action; also has concurred in House amendments to C. F. No. 60, and has referred same for enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO. 68.

A Bill amending Section 3788 of the Compiled Laws of Utah, of 1888, relating to summary procedures for obtaining possession of real estate in certain cases, by adding thereto another subdivision, number 5.

Read first time by its title and referred to the Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. 71, and same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. No. 71.

A Bill amending Subdivision "First" of Section 145, S. 8, of the Compiled Laws of Utah, 1888, relating to records.

Read first time by its title and referred to the Committee on Judiciary.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day passed C. F. No. 69, and the same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. No. 69.

A Bill providing for the payment of costs in territorial criminal cases.

Read first time by its title and referred to the Committee on Judiciary.

#### THIRD READING OF BILLS.

H. F. No. 97, read third time, pending further action.

H. F. No. 92, A Bill providing for the payment of jurors, witnesses and phonographic reporters, and creating and defining the duties of court commissioners.

Read third time, amended and passed.

Ayes — Allen, Bennion, Ferrin, Hammond, Howell, Kimball, Lund, Melville, Porter, Russell, Reid, Robison, Smith, Stewart, Thurman, Williams, Wood—19.

Noes—Pierce—1.

Absent—Ferry, Johnson, Lowe, Sargent—4.

Title approved.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor, disapproving C. F. No. 38, relating to probate procedure.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 64, "An Act creating

the office of county watermaster and define the duties therein," and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. NO. 64,

A Bill creating the office of county watermaster, and defining the duties thereof.

Read first time by its title and referred to the Committee on Agriculture and Irrigation.

#### MISCELLANEOUS BUSINESS.

Report of Committee on Militia:

Representatives Hall,  
March 12, 1890.

*Mr. Speaker:*

Your Committee to whom was referred, H. F. No. 57, "A Bill providing for a Militia," respectfully report the same back and recommend that it be put upon its passage.  
STEWART, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 57 filed for second reading.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments to C. F. No. 51, and requests Conference Committee, naming Messrs. Booth and Bryan as Council's conferees thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COMMUNICATION.

Conference Committee granted.

The Speaker named as conferees on part of the House, Messrs. Hammond and Kimball.

By Mr. Hammond—A claim from J. Morrell for jury service for the year 1886, amount \$20.00. Referred to the Committee on Claims and public accounts.

The Committee on Judiciary make a verbal report on C. F. No. 31, recommending certain amendments.

Report adopted.

Amendments read and adopted.

Bill read third time amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Johnson, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Stewart, Thurman, Williams, Wood—20,

Noes—0.

Absent—Howell, Lowe, Sargent—3.

## REPORTS OF SPECIAL COMMITTEE.

Representative Hall,  
March 10, 1890.

*Mr. Speaker:*

Your Committee on Ways and Means, associated with the Committee on Capitol Grounds from the Council, to whom was referred the matters of a plan for a capitol building for the Territory of Utah, etc., beg leave to report that they have considered the matters before the committee, and recommend the following: That the Capitol Commission be authorized to reward the sum of \$500 for the best plan for a capitol building, and that said plan be selected by said commission, but in making such selection the Territory shall not be liable or in any way obligated in building a capitol to use such plans, or if using the same not to be liable or obligated to employ the architect submitting such plans.

That the sum of \$10,000 be appropriated for the improvements of said grounds to be expended by the Capitol Commission; *Provided* Salt Lake City furnish, free of charge, the water used on said grounds and any building erected thereon. That a resolution be passed declaring it to be the sense of the Assembly that no capitol building be



erected on said grounds until the south frontage be enlarged to 24 rods.

Very respectfully,

WILLIAMS, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriation instructed.

H. F. No. 57, A Bill providing for a militia, second reading by sections.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Kimball, Melville, Porter, Pierce, Reid, Smith, Thurman, Williams, Wood—14.

Noes—Hammond, Howell, Johnson, Lund, Robison, Sargent, Stewart—7.

Absent—Lowe, Russell—2.

Title amended and approved.

#### COMMUNICATION FROM THE GOVERNOR.

Executive Office,

Salt Lake City, Utah,

March 12, 1890.

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir.—I have approved and filed with the Secretary of the Territory, House File No. 65, entitled "An Act to provide right of way and easements for the development of mines;" also, H. F. No. 58, entitled "An Act amending Sections 2160, 2169, 2170 of the Compiled Laws of Utah of 1888, relating to intoxicating liquors."

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

Third reading of H. F. No. 97, A Bill amending procedure in probate courts in the settlement of estates and guardianship.

Laid over for the day.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,

Council Chamber,

*Mr. Speaker:*

March 12, 1890.

I am directed to inform your honorable body that the

Council has this day passed, with amendments, H. F. 44, concerning conveyances, and same is herewith forwarded for your further action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO. 44.

Read and referred to the Committee on Judiciary.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor, approving the following bills:

C. F. No. 2.

C. F. No. 22.

C. F. No. 56, and

C. F. No. 65.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

On motion of Mr. Howell, H. F. No. 91 was referred to the Committee on Appropriations.

REPORT OF CONFERENCE COMMITTEE.

House of Representatives,  
March 12, 1890.

*Mr. Speaker:*

Your Committee appointed to confer with a like committee from the Council upon the disagreements between the two houses upon the House amendments to C. F. No. 51, beg leave to report that said committee has met and after due consideration beg leave to recommend that in lieu of the words stricken out of line 2 of Section 7 of said bill the following words be substituted, viz: "unless he is a property taxpayer in this Territory," and that the Council agree to the other amendment.

Respectfully,  
HAMMOND,  
J. N. KIMBALL,  
*Conferees on part of House.*

## CONSIDERATION OF REPORT.

Read and adopted.

Amendment recommended by the committee to C. F. No. 51 adopted and bill passed as amended.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Lund, Melville, Porter, Russell, Reid, Robison, Stewart, Thurman, Wood—15.

Noes—Allen, Hammond, Kimball, Pierce, Smith, Williams—6.

Absent—Lowe, Sargent—2.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 66, An Act relating to holding the First District Court at the city of Nephi, in the county of Juab and Territory of Utah and the same is hereby forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. NO. 66.

A bill relating to holding the First Judicial District Court at the city of Nephi, in the county of Juab, and Territory of Utah.

Read first time by its title and referred to Committee on Judiciary.

The Committee on Judiciary report verbally on C. F. No. 68, recommending that said bill be put upon its passage.

## CONSIDERATION OF REPORT.

Adopted.

Bill read second time and amended.

Bill read third time and passed.

Ayes—Allen, Bennion, Creer, Hammond, Johnson, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—19.

Noes—0.

Absent—Ferrin, Ferry, Howell, Lowe—4.

Title approved.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted Conference Committee's report on C. F. No, 51, has passed same and it is now referred for enrollment.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

The Committee on Judiciary report verbally upon C. F. No. 71, recommending that said bill be put upon its passage.

Report adopted.

C. F. No. 71.

Read second time.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lund, Melville, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Thurman, Williams, Wood—20.

Noes—0.

Absent—Ferrin, Lowe, Porter—3.

Title approved.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor, announcing his disapproval of C. F. No. 54, providing for a uniform system of free schools throughout Utah Territory, and same is referred

with the bill to Council Committees on Judiciary and Education.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

The Committee on Conference make verbal report on C. F. No. 61, recommending certain amendments.

Report adopted.

Amendments read and adopted.

C. F. No. 61, as amended, read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Porter, Pierce, Russell, Reid, Smith, Sargent, Thurman, Williams, Wood—18.

Noes—0.

Absent—Lowe, Lund, Melville, Robison, Stewart—5.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed as recommended by conference committee substitute for H. F. No. 19, and the same is herewith returned to you with original bill.

Very respectfully  
FRANK J. CANNON,  
*Chief Clerk.*

Committee Room,  
March 12th, 1890.

*Mr. Speaker:*

Your Committee on Conference, on H. F. No. 19, "A Bill prohibiting the selling, giving or furnishing of tobacco, opium or other narcotics in any form to minors," respectfully report that we have conferred with a like committee of the Council, and the joint committee agreed to recommend that the Council recede from its amendment to said bill.

HOWELL,  
ALLEN.

CONSIDERATION OF REPORT.

Read and adopted.



H. F. No. 19 (substitute), read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Thurman, Williams, Wood—20.

Noes—0

Absent—Lowe, Lund, Stewart—3.

#### REPORT OF COMMITTEE ON CONFERENCE.

Legislative Hall,

March 12, 1890.

*Mr. Speaker :*

Your Conference Committee appointed to meet a Conference Committee of the Council on C. F. No. 20, report that agreement has been reached, and your committee desire to report that they recommend that in Section 1, the date Dec. 15th be changed to read Dec. 1st, and Sept. 15th be changed to read Sept. 1st;

Also, that a new section be added to be numbered 11, to wit: "The county courts of the several counties shall offer such rewards as in their discretion they may determine, to any person or officer who shall give information that shall lead to the arrest and conviction of any person violating this act. All fines collected in cases of conviction under this act shall be paid into the treasury of the county in which trial for such violation is had.

JOS. R. PORTER,

JOS. HOWELL,

*Conferees on the part of the House.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments recommended by committee adopted.

C. F. No. 20 passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Porter, Russell, Reid, Robison, Smith, Sargent, Thurman, Williams, Wood—18.

Noes—Melville, Pierce—2.

Absent—Lowe, Lund, Stewart—3.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,

Council Chamber,

*Mr. Speaker:*

March 12, 1890.

I am directed to inform your honorable body that the

Council has this day concurred in House amendments to C. F. No. 68, and the same is referred for enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted House substitute for C. J. R. No. 2, and has referred the same for enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

*Mr. Speaker:*

Your Committee on Conference report on C. J. R. No. 2 substitute, that the Council has agreed to accept all House amendments.

PIERCE,  
THURMAN.

CONSIDERATION OF REPORT.

Adopted.

House took recess at 6:15 p. m. until 10 a. m. tomorrow, March 13th, 1890.

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10 a. m. March 13th.

House resumed its session.

The Speaker in the chair.

REPORTS OF STANDING COMMITTEES.

Legislative Hall,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of G. R. Belnap, Sheriff of

Weber County, amounting to \$207 for services in attending First District Court, having considered the same, recommend that the claim be allowed, and that the same be placed on the general appropriation bill.

CREER, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

Committee on Appropriation instructed.

SPECIAL COMMITTEE'S REPORT

Committee Room,

March 12, 1890.

*Mr. Speaker:*

The Joint Committee of the Council and House appointed to investigate the condition of the State House at Fillmore, and what would be best to do with regard to that property, recommend that the auditor of public accounts be authorized to obtain bids for the sale of said property, and with the approval of the governor and secretary, to execute the sale of the State House to the highest bidder.

C. E. ALLEN,  
J. A. MELVILLE,  
JOS. HOWELL.

CONSIDERATION OF REPORT.

Read and adopted.

REPORT OF THE COMMITTEE ON APPROPRIATIONS.

House of Representatives,

March 13, 1890.

*Mr. Speaker:*

Your Committee on Appropriations, to whom was referred H. F. No. 91, A Bill making appropriation for general purposes, herewith return the same with amendments for your further consideration, and return herewith all claims submitted to your committee.

HOWELL, *Chairman*.

CONSIDERATION OF REPORT.

Read and adopted.

H. F. No. 91 filed for second reading.

## REPORT OF JUDICIARY COMMITTEE.

March 13, 1890.

*Mr. Speaker:*

Your Judiciary Committee, to whom was referred H. F. 44, to consider Council amendments thereto, recommend that we do not adopt the same and that a conference committee be asked for.

THURMAN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

Conference committee asked.

The Speaker appointed as conferees on part of the House, Messrs. Kimball and Hammond.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, as amended by the House, and recommended by Conference Committee, C. F. 42, and same is referred to Committee on Enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## REPORT OF CONFERENCE COMMITTEE.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Conference upon C. F. No. 42, amending certain sections relating to Reform School, beg to report that the Council have agreed to concur in all of the House amendments to said bill.

CREER.

## CONSIDERATION OF REPORT.

Read and adopted.

## SECOND READING OF H. F. NO. 91.

Bill read second time by sections, amended, placed on the general file for third reading.

## COMMUNICATION FROM GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 12, 1890.

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir.—I return herewith H. F. No. 50, entitled “An act to secure to ranchmen, tavern keepers, and other persons liens on personal property, and repealing Sections 2955, 2956, 2957, 2958, 2959 and 2960, of the Compiled Laws of Utah of 1888.”

This act is not suitable for the lien of some carriers, say railroads.

It provides for an appraisal and sale after thirty days. This is not long enough. Frequently shippers and travelers send freight and personal baggage ahead, expecting to call for it. Sickness or other causes may delay them. Sometimes freight and baggage gets misdirected or mis-carried, and more than thirty days should be given to trace and find it. The present law, Sections 2958 to 2960, gives six months to railroads. The custom of railroads is to await six months—collect at one main station the uncalled for articles, and to sell by advertisement as provided in the sections named. They do not break open the package, but sell by description of the package, the marks on it, and say “contents unknown.” Express companies are in the same situation.

It will be seen that the machinery for appraisal, etc., is unsuitable.

I see no objection to giving the additional liens provided for, and if it is not too late, would suggest that Sections 2958, 2959 and 2960, be not repealed, and at the end of Section 13 there be inserted this clause: “And provided further, that common carriers may, at their option, enforce their liens as provided in Sections 2958, 2959 and 2960 of the Compiled Laws of 1888.” This would give effect to all the liens provided for, in the manner specified in the act.

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

## CONSIDERATION OF THE GOVERNOR'S COMMUNICATION.

Referred in connection with H. F. No. 50, to the Committee on Judiciary.



Verbal report of the Committee on Judiciary on C. F. No. 11, present a substitute and ask that it be printed.  
Report adopted.

REPORT OF THE COMMITTEE ON AGRICULTURE AND IRRIGATION.

House of Representatives,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation, to whom was referred C. F. No. 64, A Bill creating the office of county watermaster and defining the duties thereof, respectfully suggest that inasmuch as it is nearly the same as H. F. No. 99 (substitute), that it be adopted in place of 99 and put upon its passage, and H. F. 99 be rejected.

Respectfully,  
ROBISON, *Chairman.*

CONSIDERATION OF REPORT.

Read and adopted.

Verbal report from the Committee on Claims and Public Accounts that the claim of Almy Matthews, for juror services, May term 1885, be allowed, amount \$30.64, and that the claim of J. Morrell, for juror certificate is provided for in the general appropriation bill.

Report adopted.

Mr. Reid moved that the vote by which H. F. No. 74 was rejected on recommendation of the Committee be reconsidered. Carried.

Bill ordered printed.

On motion of Mr. Porter, House took recess at 11:30 a. m., subject to the call of the chair.

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11:45 a. m.

House resumed session.

COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day passed C. F. No. 61, as agreed and recommended by Conference Committee, and same is sent to Committee on Enrollment.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

Utah Legislature,

Council Chamber,

March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 62, A Bill providing for the payment of city and school district bonds, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

CONSIDERATION OF C. F. NO. 62.

A Bill providing for the payment of city and school district bonds.

Read first time by its title and referred to the Committee on Municipal Corporations and Towns.

Utah Legislature,

Council Chamber,

March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day granted request for Conference Committee on H. F. No. 44, naming Messrs. Richards and Hall as Council's conferees thereon.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

Utah Legislature,

Council Chamber,

March 12, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that

the Council has this day received a communication from His Excellency the Governor, announcing his approval of C. J. R. No. 2, C. F. No. 60 and C. F. No. 16.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### REPORT OF CONFERENCE COMMITTEE.

Committee Room,  
March 12, 1890.

*Mr. Speaker:*

Your committee, appointed to confer with a similar committee from the Council on the disagreement of the two houses on Council amendments to H. F. No. 44, "A Bill concerning conveyances," respectfully report that they have met with the Council committee, and considered the matter committed to them, and unanimously recommend that the House do concur in the Council amendments to said bill.

JAMES N. KIMBALL,  
J. T. HAMMOND,  
*Conference Committee.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Council amendments to H. F. No. 44 concurred in.

Bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Stewart, Williams, Wood—20.

Noes Sargent—1.

Absent—Lowe, Thurman—2.

Bill referred to the Committee on Enrollment.

#### REPORT OF COMMITTEE ON CONFERENCE.

House of Representatives,  
March 13, 1890.

*Mr. Speaker:*

Your Committee to confer with a like committee from the Council upon the disagreement between the two houses upon C. F. No. 1, "A Bill to amend Section 184 S. 14 of the Compiled Laws of Utah of 1888, beg leave to report that said committee has considered said matter, and recom-

mend that the House recede from its amendments to said bill.

Respectfully,  
HAMMOND,  
PIERCE,  
*Conferees on part of House.*

Read and adopted.

House receded from all its amendments to C. F. No. 1.  
Bill passed as amended.

Ayes — Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Lowe, Lund, Melville, Porter, Reid, Robison, Sargent, Stewart, Thurman, Wood—16.

Noes — Allen, Ferry, Pierce, Smith, Williams—5.

Absent—Kimball, Russell—2.

Title approved.

#### REPORT OF THE COMMITTEE ON CLAIMS AND PUBLIC ACCOUNTS.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of William S. Thompson, assessor and collector of Garfield county, per Dodds, deputy assessor and collector, amounting to \$86.22, for uncollectible taxes for the years 1887, 1888 and 1889, having considered said claim, recommend that it be allowed and placed in the general appropriation bill.

CREER, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

On motion of Mr. Kimball, House adjourned, at 12 noon, until 2 p.m.

Prayer by the Chaplain.

## SIXTIETH DAY.

HOUSE OF REPRESENTATIVES,  
City Hall, Salt Lake City, Utah,  
Thursday, March 13th, 1890.

2 p. m.

House met pursuant to adjournment.  
The Speaker in the chair.  
Roll called—quorum present.  
Prayer by the Chaplain.  
Journal of the fifty-ninth day approved.

## REPORTS OF STANDING COMMITTEES.

House of Representatives,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Judiciary, to whom was referred H. F. No. 50, A Bill to secure to ranchmen, tavern keepers, etc., liens on personal property, etc., to consider the amendments suggested by His Excellency the Governor to said bill, beg leave to report the same back and recommend that the amendments suggested be adopted.

Respectfully,  
HAMMOND, *Acting Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

Amendments suggested by the Governor adopted and H. F. No. 50 passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Melville, Porter, Pierce, Russell, Reid, Smith, Stewart, Thurman, Wood—19.

Absent—Lund, Robison, Sargent, Williams—4.

Majority of the Committee on Judiciary make verbal report on C. F. No. 66, and suggest that said bill be put upon its passage.

Report adopted.

C. F. No. 66 filed for second reading.



Committee Room,

*Mr. Speaker:*

March 13, 1890.

Your committee to whom was referred the petition of the probate judge and others, of Sanpete county, respectfully report, that they have considered the same and suggest that if any changes are made in the appropriation on highways in that county, it be done by the House while in session.

Respectfully,

MELVILLE, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

Committee Room,

March 13, 1890.

*Mr. Speaker :*

Your Committee on Enrollment respectfully report that H. F. No. 19 (substitute), "A Bill prohibiting the selling, giving or furnishing of tobacco, opium, or other narcotics to, and the use thereof by, minors," has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was at 10:30 a. m. this day, forwarded to the Governor for his official action thereon.

Respectfully, etc.,

BENNION, *Chairman.*

House of Representatives,

March 13, 1890.

*Mr. Speaker:*

The majority of your Committee on Memorials to Congress herewith return C. M. No. 4, and recommend its adoption.

PIERCE, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

C. M. No. 4, memorializing Congress to set apart as a public park a certain district of country bounded as follows: Beginning at a point ten miles west of Bald Mountain, thence south ten miles, thence east twenty miles, thence north twenty miles thence west twenty miles, etc.

Read and rejected.

## COMMUNICATIONS FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir.—I have this day approved H. F. No. 19, entitled, "An Act prohibiting the selling, giving or furnishing of tobacco, opium or other narcotics to, and the use thereof by minors;" also H. F. No. 89, entitled, "An Act amending Sections 2268, 2272, 2273 and 2277 of the Compiled Laws of Utah, 1888, relating to private corporations."

I am, very respectfully,  
ARTHUR L. THOMAS, *Governor.*

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*Hon. James Sharp, Speaker of the House:*

Sir.—I return herewith H. F. No. 66, entitled, "An Act to amend section 2349 S. 35 of the Compiled Laws of Utah of 1888, relating to railroad corporations," and respectfully suggest that it be amended by inserting after the word "railroad" in line 19 of Section 1, the words "where such railroad passes through lands owned and settled or occupied by private owners; by inserting after the word "stock" in line 21 insert "of adjoining owners;" by inserting after the word "the" in line 26 the word "adjoining;" by striking out the provisq.

Very respectfully,  
ARTHUR L. THOMAS, *Governor.*

## CONSIDERATION OF THE GOVERNOR'S MESSAGE.

Read, and with H. F. No. 66, referred to the Committee on Private Corporations.

## SECOND READING OF BILL

C. F. No. 64 : Bill read second time by sections.

Mr. Allen moved that Mr. Ferry be permitted to present a resolution. Carried.

By Mr. Ferry:

*Resolved,* That the thanks of this House are justly due and

are hereby tendered to the Hon. James Sharp, for the able and impartial manner in which he has discharged the duties of Speaker of the House, during the session of the Legislature now about to close.

The resolution was unanimously adopted by a rising vote.  
Mr. Ferry then continued:

Mr. Speaker—It sometimes happens in the experience of men that a duty is devolved upon them which it is both an honor and a pleasure to perform; that is my position to-night as I speak, to the resolution I have just offered.

Mr. Speaker—This House made no mistake when they selected you to occupy the chair which you have so ably filled during the present session.

Your promptness in attendance and in dispatch of business has been an example by which every member has profited.

The fidelity and industry with which you have examined every bill and resolution, whether offered by members or reported from committees, has been an incentive to us all to exercise the same characteristics in our appropriate place within the bar of the House.

Your general impartiality, both to members and measures, we gladly recognize.

Your uniform courtesy to every member of the House are fully acknowledged, and your helpful aid to those of us, who like myself, are passing through their first experience in legislation, has been greatly appreciated. And now, sir, speaking for the party, which I have the honor in part to represent on the floor, a small minority it is true, but which we confidently expect in the near future to make much larger, we thank you for the generous treatment that we have received in placement upon committees and recognition upon the floor. At times it may be we have arrived at different conclusions from those determined by you, and at other times may have been somewhat restive under rulings that were not favorable to that which we wished to attain. But the irritation, if any existed, has passed with the occasion that gave rise to the feeling and left no sting behind.

In conclusion I repeat we made no mistake when we elected you Speaker of this House.

May you remember this session with feelings of pleasure, and be assured that you will carry with you from this chamber and from each member of this House sentiments of great respect and high esteem.

Replying, the Speaker said:

The resolution that has just been adopted is indeed a most flattering one, and, gentlemen, I receive it in the same manner in which it was offered. I assure you that in presiding over this body I have found it a pleasure as well as a duty, and it has been with feelings of pride that I have seen the earnestness which you have shown in your efforts to render aid and support to the chair in disposing of the business with which we have been entrusted. I realize to the fullest extent that your support has done much to enable the chair to discharge his duties pleasantly, and this I treasure as an honor. The work that has been done is such that none of you need be afraid to show to your constituents. And in closing, I assure you that there is a warm spot in the heart of the Speaker for each and every member upon the floor of this House.

SECOND READING OF BILLS (CONTINUED).

C. F. No. 64 adopted in lieu of H. F. No. 99, which was rejected.

C. F. No. 64 read third time, amended.

On motion the enacting clause was stricken out.

COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted Conference Committee's report on C. F. No. 1 and same is referred for enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments



to C. F. No. 31, and requests Conference Committee thereon, naming Messrs. Richards and Hall as its conferees.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COMMUNICATION.

The Speaker named as conferees on the part of the House Messrs. Williams and Hammond.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor, which is herewith forwarded for your information.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*Hon. F. S. Richards, President of the Council:*

Sir.—I have this day approved C. F. No. 68, entitled "An Act amending Section 3788 of the Compiled Laws of Utah of 1888, relating to summary proceedings for obtaining possession of real property in certain cases," etc. Also C. F. No. 71, entitled "An Act amending Subdivision 1 of Section 145 S. 8 of the Compiled Laws of Utah, 1888, relating to recorders." Also C. F. No. 20, entitled "An Act for the protection of game and birds." Also C. F. No. 61, entitled "An Act supplementary to and amendatory of 'An Act prescribing rules and regulations for the execution of the trust arising under an act of Congress entitled An Act for the relief of the inhabitants of cities and towns upon the public lands approved March 2, 1867, approved February 17, 1869, and the amendments thereto.'" Also C. F. No. 15, entitled



"An Act authorizing Probate Courts to grant orders in certain cases without publication notice other than by posting.

I am, very respectfully,

ARTHUR L. THOMAS.

*Governor.*

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,

Council Chamber,

March 13, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day adopted C. C. R. No. 11, and the same is herewith forwarded for your action.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

CONSIDERATION OF C. C. R. No. 11.

C. C. R. No. 11:

*Resolved*, The House concurring, that the Auditor of Public Accounts shall, subject to the approval of the Governor and Secretary of this Territory, sell at public auction to the highest bidder all right, title and interest of the Territory of Utah in and to the property of this Territory commonly known as "The State House," situated at Fillmore City, in the County of Millard, Territory of Utah. That previous to such sale the said Auditor of Public Accounts shall publish in three newspapers having general circulation in this Territory, at least five times in each of such, a notice of the sale, giving an accurate description of the said property and stating the time and place of sale. That upon making such sale, and upon the approval thereof as herein provided, the auditor shall execute a conveyance of all the right, title and interest of this Territory in and to the said property.

Read and adopted.

MISCELLANEOUS BUSINESS.

H. F. No. 97, A Bill amending an act entitled procedure in probate courts in the settlement of estates and guardianship.

Read third time and passed.

Ayes—Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart, Williams, Wood—14.

Noes—0.

Absent—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Smith, Thurman—9.

House took recess at 3 p. m. subject to the call of the chair.

3:30 p. m.

House resumed session.

The Speaker in the chair.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker.*

I am directed to inform your honorable body that the Council has this day passed, as amended by the House, H. F. No. 50, and same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

H. F. No 50 referred to the Committee on Enrollment.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 59, "An act to provide for the assessing and collecting of taxes on transient stock," and the same is herewith forwarded to you for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. NO. 59.

An Act to provide for the assessing and collecting of taxes on transient stock.

Read first time.

Read second time by its title.

Read third time by its title and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Kimball, Lowe, Lund, Melville, Porter, Russell, Reid, Robison, Sargent, Stewart, Williams, Wood—19.

Noes—Pierce—1.

Absent—Johnson, Smith, Thurman—3.

Title approved.

REPORT OF COMMITTEE ON CLAIMS AND PUBLIC ACCOUNTS.

Committee Room,  
March 13th, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the petition of William H. King, ex-collector of Millard County, asking for \$128.00 overpaid Territorial taxes upon remittances made in the year 1885, 1886, 1887 and 1888, having duly considered said petition, recommend that the said amount be allowed and placed on the appropriation bill.

CREER, *Chairman.*

CONSIDERATION OF REPORT.

Read and adopted, and amount inserted in appropriation bill.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of Beaver County for expense in boarding and guarding prisoners after indictment in the Second Judicial Court, amounting to the sum of \$526.00, beg to report that we considered said claim, and recommend that the same be disallowed and rejected.

CREER, *Chairman.*

CONSIDERATION OF REPORT.

Read and adopted.

Claim disallowed.

# HOUSE JOURNAL.

## REPORT OF COMMITTEE ON APPROPRIATIONS.

House of Representatives,  
Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Appropriations, having under advisement the matter of the compensation of Geo. D. Pyper as Court Commissioner in the Third Judicial District for the years 1888 and 1889, respectfully report that we consider the compensation heretofore provided inadequate, and recommend that the sum of \$300 be appropriated to the said Geo. D. Pyper for services as Commissioner for the years 1888 and 1889.

HOWELL, *Chairman.*

## CONSIDERATION OF REPORT.

Read, adopted, and amount inserted in appropriation bill.

## THIRD READING OF BILLS.

H. F. No. 91, read third time, amended and passed.

Ayes—Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lurd, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Stewart—18.

Noes—Allen, Thurman, Williams, Wood—4.

Absent—Smith—1.

Title approved.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,

*Mr. Speaker:*

March 13, 1890.

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 95, and the same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO. 95.

Read and concurred in.

Bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Pierce, Reid, Robison, Stewart, Thurman, Williams, Wood—18.

Noes—Ferrin, Porter, Russell, Sargent—4.

Absent—Smith—1.

Bill referred to the Committee on Enrollment.

RESOLUTION BY MR. THURMAN.

*Resolved*, that the thanks of the members and officers of the House of Representatives are due and are hereby tendered to Mr. R. G. Taysum for the beautiful boquets which now adorn the lappels of the aforesaid members and officers. May he live long and prosper. Adopted.

House took recess at 4 p. m., subject to call of the chair.

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4:30 p. m.

House resumed session.

The Speaker in the chair.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 92, A Bill providing for the payment of jurors, etc., and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. No. 92.

Read and concurred in, except proviso in Section 9, and date of act going into effect.

Conference Committee requested thereon.

The Speaker named as conferees on the part of the House Messrs. Hammond and Kimball.

House took recess at 4:45 p. m. subject to the call of the chair.



5:10 p. m.

Honse resumed session.

The Speaker in the chair.

# COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day granted request for Conference Committee on H. F. No. 92, and appoints Messrs. Booth and Hall as conferees thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted Conference Committee's report on H. F. No. 92, and, as amended, has passed the same.

The bill is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

# REPORT OF CONFERENCE COMMITTEE.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Sir.—Your committee to confer with a like committee from the Council upon the disagreements between the two Houses on Council amendments to H. F. No. 92, A Bill providing for the payment of jurors, etc., beg leave to report that said committee has met and conferred upon said matter and recommend that the proviso to Section 9 be amended to read "provided in civil cases where the parties so request

no reporters shall be engaged," and that the last section be amended to read "This act shall take effect April 1st, 1890.

HAMMOND,

KIMBALL,

*Conferees on part of the House.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments recommended by the committee adopted.

H. F. No. 92 passed as amended.

Ayes—Allen, Bennion, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Porter, Russell, Reid, Robison, Sargent, Stewart, Williams, Wood—16.

Noes—Pierce—1.

Absent—Creer, Ferry, Lund, Melville, Smith, Thurman—6.

Bill referred to the Committee on Enrollment.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,

Council Chamber,

March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed H. F. No. 13, and same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

#### CONSIDERATION OF H. F. NO. 13.

Referred to the Committee on Enrollment.

#### REPORT OF COMMITTEE ON CONFERENCE.

House of Representatives,

March 13, 1890.

*Mr. Speaker:*

Your Conference Committee on H. F. No. 20, have agreed to recommend that the House adopt all the Council amendments thereto.

PIERCE,

THURMAN,

*Committee.*

## CONSIDERATION OF REPORT.

Read and adopted.

Council amendments concurred in.

H. F. No. 20 passed as amended.

Ayes—Allen, Bennion, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Porter, Pierce, Russell, Reid, Robison, Stewart, Williams, Wood—16.

Noes—Sargent—1.

Absent—Creer, Ferry, Lun', Melville, Smith, Thurman—6.

Bill referred to Enrollment Committee.

5:15 p. m. House took recess until 7:30 p. m. this day.

7.30 p.m.

House resumed session.

The Speaker in the chair.

## REPORT FROM THE COMMITTEE ON ENROLLMENT.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Enrollment, respectfully report that the following bills referred to them for enrollment have been correctly enrolled, signed by the Speaker of the House and President of the Council, and were this p. m. forwarded to His Excellency the Governor for his official action thereon, viz.: H. F. No. 44, A Bill concerning conveyances; H. F. No. 95, A Bill establishing a chair of geology and mineralogy in Deseret University, and H. F. No. 50, A Bill to secure to ranchmen, tavern-keepers and other persons liens on personal property, etc.

Respectfully,

BENNION, *Chairman.*

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day received a communication from His Excellency, the Governor, announcing his approval of C. F. No. 1 and C. F. No. 38.

Very respectfully,

FRANK J. CANNON.

*Chief Clerk.*

Utah Legislature,

Council Chamber,

March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 67, An Act providing for the issuing and disposing of territorial bonds, and the same is herewith forwarded to you for your action thereon.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

#### CONSIDERATION OF C. F. NO. 67.

A Bill providing for the issuing and disposing of territorial bonds.

Read first time.

Read second time by sections, amended. Laid over.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,

Council Chamber,

March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. J. R. No. 3. "A Resolution providing for the compilation and publication of the history of Utah," and the same is herewith forwarded to you for your action thereon.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

#### CONSIDERATION OF C. J. R. NO. 3.

A resolution providing for the compilation and publication of a history of Utah.

Read first time.

Referred to the Committee on Judiciary.

COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890,

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir.—I have approved and filed with the Secretary of the Territory H. F. No. 50, entitled “An Act to secure to ranchmen, tavern-keepers and other persons liens on personal property, and repealing Sections 2955, 2956 and 2957 of the Compiled Laws of Utah of 1888.” Also, H. F. No. 95, entitled, “An Act establishing a chair of geology, mineralogy in the University of the State of Deseret.”

I am, very respectfully,  
ARTHUR L. THOMAS,  
*Governor.*

SECOND READING OF BILLS.

H. F. No. 74 :

Read second time by sections, amended and placed on the general file for third reading.

THIRD READING OF BILLS.

C. F. No. 67 read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Melville, Porter, Pierce, Reid, Smith, Stewart, Williams—17.

Noes—Lund, Robison, Sargent—3.

Absent—Russell, Thurman, Wood—3.

Title approved.

COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 72, A Bill amending Sections 2008, 2012, 2013, 2023, 2027,



2030 and 2043 of the Compiled Laws of Utah of 1888, relating to revenue, etc., and the same is herewith returned for your action on said amendments.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO. 72.

Referred to the Committee on Ways and Means.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted the report of Conference Committee on C. F. No. 31, by which House amendments were concurred in, and new amendments added; and, as so amended, has passed same.

The bill is now forwarded for your action on said new amendments.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

House of Representatives,  
March 13, 1890.

*Mr. Speaker:*

Your committee to confer with a like committee from the Council upon the disagreements between the two Houses upon the House amendments to C. F. No. 31, beg leave to recommend that in lieu of the amendments to line 10, of Section 1 of said bill, the following be inserted: "Upon the petition of persons owning a majority of the front feet abutting on that portion of the street, alley, avenue, or sidewalk to be improved," and by adding after the word abutting, in the House amendment to line 101 of said section, add "on that portion of."

Respectfully,

WILLIAMS,  
HAMMOND,

*Conferees on part of the House.*

## CONSIDERATION OF REPORT.

Read and adopted.

Amendments to C. F. No. 31 recommended by the committee concurred in; the bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Stewart, Williams, Wood—20.

Noes—0.

Absent—Russell, Sargent, Thurman—3.

## REPORT FROM THE ENROLLMENT COMMITTEE.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Enrollment, respectfully report that H. F. No. 20, "A Bill to amend Sections 4455, 4457, 4469, 4622, 4631 and 4677 of the Compiled Laws of Utah, relating to the penal code;" and H. F. No. 92, A Bill providing for the payment of jurors, witnesses and phonographic reporters, and creating and defining the duties of court commissioners, have been correctly enrolled, signed by the Speaker of the House and President of the Council, and were at 8:30 p. m. forwarded to the Governor for his official action thereon.

Respectfully, etc.,  
BENNION, *Chairman*.

## THIRD READING OF BILLS (CONTINUED).

H. F. No. 74 read third time, amended and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Johnson, Kimball, Lowe, Lund, Melville, Porter, Pierce, Reid, Robison, Smith, Sargent, Stewart, Williams, Wood—19.

Noes—0.

Absent—Hammond, Howell, Russell, Thurman—4.

Title approved.

House took recess at 9 p. m., subject to the call of the chair.

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9:50 p. m.

House resumed session.

The Speaker in the chair.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day reconsidered its action by which it rejected H. F. 67, A Bill creating a bureau of statistics, and respectfully asks for a return of said bill.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF COMMUNICATION.

Request granted, and H. F. No. 67 forwarded to the Council.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed Council substitute for H. F. No. 87, which, with the original bill, is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF H. F. NO. 87 (COUNCIL SUBSTITUTE).

Read first time and referred to the Committee on Territorial Library.

## REPORT OF THE COMMITTEE ON PRIVATE CORPORATIONS.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Private Corporations, to whom was referred H. F. No. 66, A Bill to amend Section 2349 of the Compiled Laws of Utah of 1888, relating to railroad corporations to consider the amendments suggested to said bill by His Excellency the Governor, herewith report the same back and recommend that the first and last amendments suggested be adopted.

Respectfully,  
HAMMOND, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

Amendments suggested by the Committee adopted.

H. F. No. 66 passed as amended.

Ayes—Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Kimball, Lund, Melville, Porter, Russell, Reid, Robison, Smith, Stewart, Thurman, Wood—17.

Noes—Allen, Pierce, Sargent, Williams—4.

Absent—Johnson, Lowe—2.

## REPORTS FROM THE COMMITTEE ON CLAIMS AND PUBLIC ACCOUNTS.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claims of Thomas C. Callister, ex-assessor and collector of Millard County, for the amounts of \$63.82 and \$5.79, remitted for uncollectible taxes for the year 1884, having considered the same, recommend that the amount of \$69.61 be allowed and placed on the general appropriation bill.

CREER, *Chairman.*

## CONSIDERATION OF REPORT.

Read, adopted and amount inserted in appropriation bill.

Representative Hall,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Claims and Public Accounts, to whom was referred the claim of A. W. Nebeker, assessor and collector of Rich County, for the amount of \$19.12 for uncollectible taxes for the years 1884 and 1887, having duly considered the same, recommend that the amount be allowed and placed on the appropriation bill.

CREER, *Chairman.*

## CONSIDERATION OF REPORT.

Read, adopted and amount inserted in appropriation bill.

## REPORT OF COMMITTEE ON JUDICIARY.

Representative Hall,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on the Judiciary, to whom was referred C. F. No. 11, desire to report a substitute, and ask that said substitute be put upon its passage and that the original bill be rejected.

THURMAN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

Substitute offered read and adopted. Original bill rejected.

C. F. No. 11 (House substitute) filed for second reading.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13th, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 67, and, as amended, has passed the same.

The bill is now referred to the Committee on Enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed without amendments, H. F. No. 67, A Bill creating a bureau of statistics, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

H. F. No. 67 referred to the Committee on Enrollment.



## REPORT FROM THE COMMITTEE ON ENROLLMENT.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Enrollment report that H. F. No. 13, "A Bill requiring the several county recorders of the counties of Utah Territory, to furnish abstracts of mortgages to the assessors of the counties in which the mortgagee resides," has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was at 9:30 p.m. forwarded to the Governor for his official action thereon.

Respectfully,  
BENNION, *Chairman.*

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, as amended by House, H. F. No. 66, and same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

H. F. No. 66 referred to the Committee on Enrollment.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 50, A Bill amending Section 2827 (1178) of the Compiled Laws of Utah, 1888, relating to rules and regulations under townsite act, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF C. F. NO. 50.

Read first time by its title and referred to the Committee on Municipal Corporations and Towns.

## SECOND READING OF C. F. NO. 11.

Read second time, amended.

Read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Sargent, Thurman, Williams, Wood—19.

Noes—0.

Absent—Johnson, Lowe, Smith, Stewart—4.

Title approved.

## SECOND READING OF C. F. NO. 66.

Read second and third times and rejected.

Ayes — Ferrin, Hammond, Howell, Kimball, Lund, Melville, Porter, Russell, Reid, Sargent—10.

Noes—Allen, Bennion, Creer, Ferry, Johnson, Pierce, Robison, Smith, Sargent, Thurman, Williams, Wood—12.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,

*Mr. Speaker:*

March 13, 1890.

I am directed to inform your honorable body that the Council has this day rejected House substitute for C. F. No. 11, A Bill providing for disposal of estrays, etc.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

On motion of Mr. Allen, Mr. Thurman was given the floor, who said:

*Mr. Speaker:*

The revolving wheels of time as marked on yonder dial admonish us of the solemn fact that this Assembly is approaching the hour of dissolution. The member of this House who moves the next adjournment, will announce an edict as certain as the fiat of God that we shall never meet again. When we go forth from this Assembly, it will be to mingle in the ordinary affairs of life, perhaps forgetful of these our pleasurable associations. May we not, for one brief moment, even in these the closing hours of legislation, thrust aside the regular order of business and commune as friends with one another?

Mr. Speaker—I speak for all—every member and every

officer—when I say to you that by your conduct as a presiding officer and a gentleman you have established friendships for yourself as durable as the everlasting hills. Whatever may have been, and whatever now may be, our differing views upon matters relating to the affairs of state, concerning yourself and our regard for you, there is but one mind and one opinion. Under your wise, just and impartial administration of the duties of presiding officer, we have been enabled, notwithstanding our differing views, to work shoulder to shoulder and to serve our country, as we believe, for our country's good. If we have made mistakes, they have been of the head, not of the heart. If we have accomplished good, it is all we ask. We ask no prouder name than that of men who honestly sought to discharge their duty and add additional grandeur and stability to the commonwealth. Mr. Speaker, as I said before, when the House adjourns it is not in the economy of heaven that all of us will meet again. We will separate and depart, and 'each one as before will pursue his favorite phantom.' One and all, members and officers, we wish to be remembered by you as a friend remembering a friend; we wish to be kindly remembered by him whom we love as a friend, even when he, as well as ourselves, is traveling upon the shady side, along the downward slope of life. Yes, Mr. Speaker, when age and even decrepitude, which may become the lot of every man, becomes our lot and yours, may you then feel and realize that what we to-night present to you as a simple memento of our warmest friendship has become a friend in time of need. Mr. Speaker, when you grasp the gold with which this cane is mounted and clasp the names engraved thereon, remember us. When you lean for support upon this staff in your declining years; when at last you bequeath it to some loved one of your own as a relic of your younger and more ambitious life, remember us. Mr. Speaker, on behalf of the members and officers of the House of Representatives, I take pleasure in presenting to you this memento of their warm and enduring friendship.

Mr. Thurman then handed the Speaker a handsome gold-headed ebony cane, engraved on the handle of which were the names of the officers of the House and also those of the members, arranged in the order which they occupy when on the floor. In accepting the gift, the Speaker said:

*Mr. Thurman and Gentlemen of the Legislative Assembly:*

In granting the floor to one of the members by request, the floor has been taken from under the Speaker. For once the Speaker hardly remembers the order of business. My heart is too full to speak what I feel, but I trust I shall know what to do. You have supported me honestly and earnestly, in working for the common good, and I can say to you, gentlemen, as you have said to me, that if I have made any mistakes they were of the head and not of the heart, and had I been in the conspiracy a more pleasing selection could scarcely have been made. Again thanking you, gentlemen, I have to say that the experiences of this session has more than ever convinced me that we are the children of one great Father, and while we may differ in politics we may yet be friends, and that there is room enough for us all to live in this great commonwealth both as neighbors and as friends.

#### REPORT FROM THE COMMITTEE ON TERRITORIAL LIBRARY.

Utah Legislature,  
Salt Lake City,  
March 13, 1890.

*Mr. Speaker:*

Your Committee to whom was referred Council substitute for H. F. No. 87, beg leave to report the same back without recommendation.

SARGENT, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

On motion Council amendments to (Council substitute) H. F. No. 87 not concurred in.

Conference Committee asked. The Speaker name the conferees on part of the House Messrs. Sargent and Allen.

#### REPORT FROM COMMITTEE ON WAYS AND MEANS.

Representative Hall,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Ways and Means, to whom was referred H. F. No. 72, amending Sections 2008, 2012, 2013, 2023, 2027, 2030 and 2043 of the Compiled Laws of Utah, of



1888, relating to revenue, beg leave to report that they have considered same and recommend that the House concur in the Council amendments, and that the bill be put on its passage as amended.

WILLIAMS, *Chairman*.

#### CONSIDERATION OF REPORT.

Read and adopted.

Council amendments to H. F. No. 72 read and concurred in.

Bill read third time and passed as amended.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Johnson, Lund, Melville, Porter, Russell, Reid, Robison, Stewart, Thurman, Williams, Wood—16.

Noes—Allen, Ferry, Kimball, Pierce, Smith, Sargent—6.

Absent—Lowe—1.

Bill referred to the Committee on Enrollment.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,

*Mr. Speaker:*

March 13, 1890.

I am directed to inform your honorable body that the Council has this day amended C. F. No. 54, to harmonize with the Governor's recommendations, and has passed the same as amended.

The bill is herewith forwarded for your action on said amendments. Enclosed is Governor's communication.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### GOVERNOR'S COMMUNICATION.

Executive Office,  
Salt Lake City, Utah,  
March 12, 1890.

*Hon. F. S. Richards, President of the Council:*

Sir—I return disapproved C. F. No. 54, entitled "An Act to provide for a uniform system of free schools throughout Utah Territory."

The act seems to be carefully drawn, is quite full and explicit in its details, and from a casual examination of its princi-



pal features appears in many respects well adapted for the purposes intended. Some of its provisions, however, are in direct conflict with the well settled policy of Congress respecting the right to vote and hold office in this Territory, and other provisions relate to matters which, properly speaking, have no place in a school law.

Section 2, of Article I, provides for the distribution of the Territorial tax to the several counties on the basis of the number of children in each between the ages of six and eighteen years. This method of distribution has been much criticized and with apparent reason. Under its operation some of the most populous and wealthy counties have paid to the Territorial school fund a less amount than they receive.

If the only irregularity it effected arose in the difference of the number of children compared with the amount of assessable property, the objection to it would not be so serious, for in such a case, as to the Territory, it would merely make the Territory a tax district for schooling all the children, but there is reason to believe that in many cases the inequality between counties arises from unequal assessments. A law requiring assessments to be made at the full cash value of the property is an insufficient remedy, unless all the assessors act upon it and have the same ideas of value. As a rule all laws require assessment at full value, and yet inequalities exist. When the tax district is small enough so that the taxpayers and their local boards have the means of comparing the assessments a nearer approach to equality is obtained.

In the absence of equality in the assessments between the counties I suggest that Section 2 of Article I be amended so as to provide, in substance, that no county having a population of 10,000 or over as shown by the national census to be taken in June next, shall receive in the apportionment of the Territorial school fund a larger amount than has been raised and paid by said county, and that after an apportionment is made the amounts remaining of such territorial school fund undistributed shall be returned to the several counties by which such excess was paid, in due proportion thereof, and such payments shall be made to the treasurer of the several counties entitled thereto, and by such treasurer paid to the school superintendents, and by them apportioned annually to the several school districts of the county in the same manner and on the same basis as other school funds.

Section 8 of Article II, relating to county superintendents, should provide that before entering upon his duties, a superintendent of district schools must be commissioned by the Governor.

Section 19 of the same article should provide that the deputy superintendent, if appointed, must be a registered voter.

Section 21 of Article III, provides for a county board of examiners. The section should provide that no person shall be eligible to serve as examiner who is not a registered voter.

Section 39 of Article V contains this provision: "Every male person of the age of 21 years or over, who has been a resident of the school district for ninety days immediately preceding the day of election, and who is the parent of a child of school age residing in the district, or who paid a territorial or county school tax in any such district during the preceding year, or who has been assessed for any territorial or county school tax in any such district for the year in which any such election is held, shall be entitled to vote at any school district election." Under the existing school law it is provided "there shall be elected by the registered voters of the district, three school trustees for each school district, etc., and this law was in force at the time of the passage by Congress of what is popularly termed the Edmunds Act."

The act before me would, if approved, sweep away the restrictions which Congress has deemed it necessary to place upon the exercise of the franchise at the elections.

I do not believe the time has come for such action on the part of the Governor and Legislative Assembly, and therefore suggest that the provisions of the existing law be retained. In this connection I also suggest that some provisions be made for challenges at school elections, and to require that a person, to be eligible as trustee, must be a registered voter.

Section 33 of the same article should provide that to entitle a person to vote he must have been a resident of the Territory for six months and of the school district for thirty days. I further suggest that this section be placed at the end of the article.

Section 79 of Article XI seems to embrace a general revenue act and provides for the general Territorial and county tax as well as for a tax for school purposes.

I cannot see why an act to establish a school system should contain a general revenue law. It seems to me to be more appropriate to leave out of this act all such provisions, and to provide for only special school taxes in the various districts, and leave a general revenue act to be considered on its own merits. This change in Section 1 may require suitable changes in Section 81 of the same article.

Section 83, Article XII, relates to the special school tax. The first nineteen lines of this section, except so far as they relate to

the rate of tax to be levied, are fully covered by Section 33 of Article V, and with the exception stated should be stricken out.

I suggest that Section 101 of Article XV, relating to schools in cities, be made to provide that the election shall be held on the day of the general election, the first Monday of August annually. This will obviate the necessity for two elections within thirty days. This will require that Section 102 be amended so as to provide for notice of election, etc., in the same manner as for the general election, and suitable changes in Section 103.

Section 105 of the same article should provide that the officers to be elected by the board shall be registered voters.

Section 113 of the same article should provide that the examining committee shall be registered voters.

Section 114 of the same article provides that the board of school trustees together with the mayor shall be a body corporate, etc., but gives the mayor no standing in the board. If the mayor is to be associated with the board it seems to me that Section 105 should be changed so as to provide that the mayor of the city shall be *ex-officio* chairman of the board.

The provision in Section 121 limiting the tax to two mills should be changed to read three mills.

Section 130, Article XVI, relating to compulsory attendance, should be amended by adding subdivision 5, providing as follows: "That the services of such child are necessary for the support of the family."

The general provisions of the act permit a majority vote at school meetings to control. In regard to issuing bonds the act requires a two-third vote. If the provisions for bonds are important as I think they are, it is quite necessary that the act be changed. It is difficult to get a two-thirds vote for any measure, and I suggest that where necessary in the act the words "two-thirds" be stricken out, and the word "majority" be inserted.

Section 133 repeals the act approved February 20th, 1880, and all acts amendatory thereof. This will repeal the provisions of Section 1934 of the Compiled Laws of Utah, 1888, which makes an appropriation for the education of pupils free of charge in the Normal Department of the Deseret University.

I believe this generous provision has been productive of good results and think it should be retained.

I am, very respectfully,

ARTHUR L. THOMAS,  
Governor.

Consideration of C. F. No. 54, with Governor's message referred to the Committee on Education.



Committee on Judiciary made report on C. J. M. No. 3, without recommendation.

Resolution read and rejected.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day granted request for conference committee on H. F. No. 87, and names Messrs. Richards and Benner as its conferees.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### REPORT OF THE COMMITTEE ON ENROLLMENT.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that H. F. No. 67, "Creating a Bureau of Statistics," and H. F. No. 66 (amended substitute) "A Bill to amend Section 2349 S. 35, of the Compiled Laws of Utah of 1888, relating to railroad corporations," have been correctly enrolled, signed by the Speaker of the House and President of the Council, and at 12 p.m. forwarded to the Governor of the Territory for his official action thereon.

Respectfully, etc.,  
BENNION, *Chairman.*

#### COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir—I have approved and filed in the office of the Secretary of the Territory, H. F. No. 13, entitled "An Act requiring the several county recorders of the counties of Utah Territory to furnish abstracts of mortgages to the

assessors of the counties in which the mortgagee resides;" also, H. F. No. 20, entitled "An Act to amend Sections 4455, 4457, 4469, 4622, 4631, and 4677 of the Compiled Laws of Utah, relating to the penal code;" also, H. F. No. 44, entitled "An Act concerning conveyances and providing for the cancellation and discharge of mortgages and deeds of trusts;" also, H. F. No. 66, entitled "An Act to amend Section 2349 S. 35, of the Compiled Laws of Utah of 1888, relating to compiled laws;" also, H. F. No. 67, entitled "An Act creating a bureau of statistics."

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 74, to provide for the incorporation and management of loan, trust and guaranty associations, and the same is herewith returned for your action on said amendments.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF COUNCIL AMENDMENTS TO H. F. NO. 74.

Read and concurred in.

Bill passed as amended.

Ayes—Ferrin, Ferry, Johnson, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Thurman, Williams, Wood—16.

Noes—0.

Absent—Allen, Bennion, Cr  er, Hammond, Howell, Lowe, Stewart—7.

Bill referred to the Committee on Enrollment.

#### REPORT OF COMMITTEE ON EDUCATION.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Education, to whom was referred



the Council amendments to C. F. No. 54, made in accordance with the suggestions of His Excellency the Governor, have considered the same, and recommend that they be adopted. We also recommend that Sec. 81, be amended by striking out "1889" and inserting "1890" in lieu thereof.

Yours respectfully,

ALLEN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Amendments suggested by the Governor to C. F. No. 54, adopted, as was also that recommended by the committee.

Bill read third time and passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Stewart, Thurman, Williams, Wood—21.

Noes—0.

Absent—Lowe, Sargent—2.

#### REPORT OF THE COMMITTEE ON JUDICIARY.

Representative Hall,

*Mr. Speaker:*

March 13, 1890.

Your Judiciary Committee herewith hand you C. F. No. 69, with two amendments, and recommend that when the bill is so amended it be passed.

THURMAN, *Chairman.*

#### CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 69, filed for second reading.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,

Council Chamber,

March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendment to C.

F. No. 54, and as amended has passed the same. It has been referred for enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor, announcing his approval of C. F. No. 42, relating to reform school, and C. F. 59, providing for assessments on transient herds.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### REPORT FROM THE COMMITTEE ON ENROLLMENT.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that H. F. No. 74, "A Bill to provide for the incorporation and management of loan, trust and guaranty associations," and H. F. No. 72 (substitute), A Bill amending Sections 2008, 2012, 2013, 2023, 2027, 2030 and 2043 of the Compiled Laws of Utah of 1888, relating to revenue, etc., have been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day forwarded to the Governor for his official action thereon.

Respectfully,  
BENNION, *Chairman.*

#### SECOND READING OF BILLS.

C. F. No. 69, read as amended by the committee.  
Amendments adopted.

Bill read second time by sections. Amended.

Bill read third time and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Johnson, Kimball, Lowe, Lund, Melville, Porter,

Pierce, Russell, Reid, Robison, Smith, Stewart, Thurman,  
Williams, Wood—21.

Noes Howell—1.

Absent—Sargent—1.

Title approved.

COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. No. 57, a bill providing for a militia, and the same is herewith returned to you.

Very respectfully

FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day reconsidered its action of an earlier hour by which House substitute for C. F. No. 11 was rejected, and has now passed the same with amendments. The bill is therefore forwarded for your further action.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO HOUSE SUBSTITUTE TO C. F. NO. 11.

Read and concurred in.

Bill passed as amended.

Ayes — Bennion, Creer, Ferrin, Ferry, Hammond,  
Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter,  
Pierce, Russell, Reid, Robison, Smith, Stewart, Thurman,  
Williams, Wood—21.

Noes — 0.

Absent—Allen, Sargent—2.

## REPORT OF CONFERENCE COMMITTEE.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Conference to whom was referred the disagreement between the Council and House on amendments to H. F. No. 87, beg leave to report a disagreement.

SARGENT,  
ALLEN.

## CONSIDERATION OF REPORT.

Read and adopted.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council requests a second Conference Committee on H. F. No. 87, naming Messrs. Benner and Richards as its conferees thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Second Conference Committee granted.

The Speaker named as conferees on part of the House, Messrs. Hammond and Kimball.

## REPORT OF THE COMMITTEE ON EDUCATION.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

You Committee on Education, to whom was referred C. F. No. 53, "A Bill relating to the University of the State of Deseret and providing for the disposal of University lands," report as follows:

This bill was received so late that the committee have given it no consideration. Therefore we report it back without recommendation.

ALLEN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

On motion of Mr. Bennion, C. F. No. 53 was taken up and read second time by sections and amended.

## COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir.—I return H. F. No. 92, entitled "An Act providing for the payment of jurors, witnesses and phonographic reporters, and creating and defining the duties of court commissioners," with the suggestion that it be amended by striking out the words "seven and a half (\$7.50)" in line 3 of Section 9, and inserting in lieu thereof the words "ten (\$10);" and by striking out the word "ten" in line 6 of Section 9, and inserting in lieu thereof the word "fifteen."

I am, very respectfully,

ARTHUR L. THOMAS.

## CONSIDERATION OF COMMUNICATION.

Amendments recommended by the Governor to H. F. No. 92 concurred in.

Bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Howell, Johnson, Lund, Lowe, Melville, Pierce, Russell, Robison, Sargent, Stewart, Thurman, Williams, Wood—18.

Noes—0.

Absent—Hammond, Kimball, Porter, Reid, Smith—5.

Title approved.

The Committee on Municipal Corporations make verbal report on H. F. No. 26, C. F. No. 50 and C. F. No. 62, suggesting that said bills be rejected.

Report adopted, and H. F. No. 26, C. F. No. 62 and C. F. No. 50, rejected.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the



Council has this day passed, as amended, H. F. No. 92, and same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Bill referred to the Committee on Enrollment.

#### REPORT OF CONFERENCE COMMITTEE.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee appointed to confer with a like committee from the Council on the disagreement of the two houses on H. F. 87, respectfully report that they have conferred with the Council committee, and recommend that the House do adopt the Council substitute for said H. F. and pass the same.

Respectfully,  
KIMBALL,  
HAMMOND,  
*Conferees on part of House.*

#### CONSIDERATION OF REPORT.

Read and adopted.

Substitute adopted in lieu of original.

H. F. No. 87, original, rejected.

H. F. No. 87, (substitute), read first, second and third times and passed.

Ayes—Allen, Bennion, Creer, Ferrin, Hammond, Howell, Kimball, Lowe, Lund, Melville, Porter, Pierce, Thurman, Williams, Wood—15.

Noes—Ferry—1.

Absent—Johnson, Russell, Reid, Robison, Smith, Sargent, Stewart—7.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, in harmony with verbal recom-

mendations of his excellency, C. F. No. 67, and same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Amendments recommended by the Governor concurred in and C. F. No. 67 passed as amended.

Ayes — Allen, Bennion, Creer, Ferrin, Ferry, Howell, Lowe, Lund, Melville, Porter, Pierce, Reid, Stewart, Williams—14.

Noes—Robison, Sargent—2.

Absent—Hammond, Johnson, Kimball, Russell, Smith, Thurman, Wood—7.

#### REPORT FROM THE COMMITTEE ON ENROLLMENT.

Committee Room,  
March 13, 1890.

*Mr. Speaker :*

Your Committee on Enrollment, to whom was referred H. F. No. 92 (as amended) an act providing for the payment of jurors, etc., report that the same has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day forwarded to His Excellency the Governor for his official action thereon.

Respectfully,  
BENNION, *Chairman.*

#### COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890

*Hon. James Sharp, Speaker of the House:*

Sir.—I have this day approved H. F. No. 74, entitled, "An Act to provide for the incorporation and management of loan, trust and guaranty associations;" also, H. F. No. 74, entitled "An Act providing for the payment of jurors, witnesses, and phonographic reporters, and creating and defining the duties of court commissioners," and have filed the same in the office of the secretary.

I am, respectfully,  
ARTHUR L. THOMAS,  
*Governor.*

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. No. 63, and same is herewith returned.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day rejected H. F. No. 98, H. F. No. 73, and H. F. No. 62, and same are herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 69, has passed same and referred it for enrollment.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 93, and same is herewith returned.

Also has passed C. F. No. 72, and same is forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## CONSIDERATION OF H. F. NO. 93.

Council amendments concurred in and bill passed as amended.

Ayes — Allen, Bennion, Ferrin, Howell, Johnson, Lowe, Russell, Robison, Smith, Sargent, Stewart, Thurman, Wood—13.

Noes—Kimball, Pierce—2.

Absent — Creer, Ferry, Hammond, Lund, Melville, Porter, Reid, Williams—8.

## REPORT OF COMMITTEE ON JUDICIARY.

Representative Hall,  
March 13, 1890.

*Mr. Speaker:*

Your Judiciary Committee herewith hand you C. F. No. 72 and recommend it be rejected.

THURMAN, *Chairman.*

## CONSIDERATION OF REPORT.

Read and adopted.

C. F. No. 72, A Bill amending Section 4144 of the Compiled Laws of Utah, 1888.

Rejected.

The Speaker read an invitation from Mrs. F. S. Richards extending hospitality of their home this evening to the members and officers of the House. Invitation accepted with thanks.

Mr. Allen moved that the thanks of the House be extended to the Secretary of the Territory for his kindly consideration in supplying the House with delicious oranges during the rush of business. Carried.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received from His Excellency the Governor, the enclosed communications, and the same are herewith forwarded for your information.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Executive Office.

Salt Lake City, Utah,

March 13, 1890.

*Hon. F. S. Richards, President of the Council:*

Sir—I return C. F. No. 41, entitled “An Act for the custody of the records of the commissioners of the supreme court.” If the act is amended by striking out all after the word “precinct,” in line 14 of Section 1, down to and including the word “precinct,” in line 16, of the same section, and inserting in lieu thereof the words “in the county who may be designated by the supreme court or a judge thereof,” I will approve it.

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

Executive Office,

Salt Lake City,

March 13, 1890.

*Hon. F. S. Richards,*

Sir—I have approved and filed with the Secretary, C. . N. 67, entitled “An Act providing for the issuing and disposing of territorial bonds.”

I am, respectfully,

ARTHUR L. THOMAS,

*Governor.*

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,

Council Chamber,

March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day amended, and as amended has passed in harmony with the recommendations of His Excellency the Governor, C. F. No. 41, and same is sent for your action.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

#### CONSIDERATION OF AMENDMENTS TO C. F. No. 41.

Read and not concurred in.

Bill returned to the Council.



## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed, as amended in conformity with the Governor's recommendation, C. F. No. 34, and same is herewith sent for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## GOVERNOR'S MESSAGE.

*Hon. F. S. Richards, President of the Council:*

Sir.—I return herewith C. F. No. 34, entitled, "An Act amending Section 5274 of the Compiled Laws of Utah of 1888, relating to fugitives from justice."

I see no objections to this act down to the word "territory" in line 21. The remainder of the act should be stricken out. Under the provisions of the Constitution of the United States, Section 2, Article IV, Congress passed the law concerning extradition printed on page 65 of the Compiled Laws of Utah, and the authority to demand the return of fugitives is vested in the executive authority of the States and Territories, without limitation, except that he must present to the executive of the State or Territory on which the demand is made, the evidence of crime prescribed by the act. The provision in the proposed act is that the Governor shall not make the demand unless the law officer named makes a certificate that there is cause. This divests the Governor of the prerogative and duty conferred and imposed by the Constitution of the United States and the act of Congress, and leaves him powerless, unless the law officer concurs in its exercise. I do not think this can be done by the Legislature of a Territory. In practice the Governor consults the law officer in such cases, but it is for advice and not control. He may require the certificate provided by this act in ordinary cases, but he has a power to dispense with it and accept other evidence equally satisfactory when he chooses. This provision leaves it doubtful as to who is the Governor in such cases. I do not think it was

the intention of the Legislature to pass an act susceptible of such a construction and, therefore, suggest that it be amended by striking out all after the word "Territory" in line 21.

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

#### CONSIDERATION OF COUNCIL AMENDMENTS TO C. F. NO. 34.

Read, concurred in and bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Howell, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Smith, Stewart, Thurman, Williams, Wood—18.

Noes—0.

Absent—Hammond, Johnson, Lowe, Robison, Sargent—5.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker :*

I am directed to inform your honorable body that the Council has this day passed, with amendments, H. F. No. 91, A Bill making appropriations for general purposes, and same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF H. F. No. 91.

Referred to the Committee on Appropriations.

Committee on Appropriations make verbal report on H. F. No. 91, recommending that all Council amendments be concurred in.

Report adopted.

Amendments concurred in.

Bill passed as amended.

Ayes—Bennion, Creer, Ferrin, Ferry, Howell, Johnson, Kimball, Lowe, Lund, Melville, Porter, Russell, Reid, Smith, Sargent, Stewart, Thurman, Williams—18.

Noes—Allen, Pierce, Wood—3.

Absent—Hammond, Robison—2.

H. F. No. 91 referred to Committee on Enrollment.

## COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*Hon. James Sharp, Speaker:*

Sir.—I have approved and filed with the Secretary, H. F. No. 56, entitled “An Act to amend Section 76, S. 1, of the Compiled Laws of Utah of 1888, relating to the boundary of Emery County.

Respectfully,  
ARTHUR L. THOMAS,  
*Governor.*

By Mr. Hammond, by unanimous consent, introduced H. F. No. 100, A Bill providing for the equalization of territorial and territorial school taxes.

Read first, second and third times and passed.

Ayes—Allen, Creer, Ferry, Hammond, Howell, Johnson, Kimball, Melville, Porter, Pierce, Russell, Reid, Robinson, Smith, Sargent, Stewart, Thurman, Williams—18.

Noes—Ferrin, Lowe, Wood—3.

Absent—Bennion, Lund—2.

## REPORT OF COMMITTEE ON ENROLLMENT.

Committee Room,  
Salt Lake City,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that H. F. No. 93, A Bill amending Section 3200, s. 257, of the Compiled Laws of Utah of 1888, relating to the place of trial of civil action. Also H. F. No. 87 (Council substitute), A Bill providing for and regulating the Utah Territorial Library, have been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day forwarded to the Governor for his official action thereon.

Respectfully, etc.,  
BENNION, *Chairman.*

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor, announcing his approval of C. F. No. 46, A Bill creating Grand County, etc.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Mr. Bennion moved that the motion by which C. F. No. 66 was lost be reconsidered. Lost.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day amended and passed, as suggested by the Governor, C. F. No. 31, and the same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

## GOVERNOR'S COMMUNICATION.

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*Hon. F. S. Richards, President of the Council:*

Sir.—I return herewith C. F. No. 31, entitled "An Act supplementing and amending the charters and defining, prescribing, and regulating the powers, duties and government of cities of the first and second class.

Under the act approved March 8, 1888, the city councils possess the power to provide for all needful improvements. The only purpose of this act is to extend the time for the payment for the cost of such improvement over a period

of nine years, thereby relieving the property owner of the enormous burden arising from the immediate payment of the improvement tax.

This act requires a petition of a majority (in front feet) of the abutting property owners, before an improvement can be made. This will give the affirmative to the property owners. Under the existing it is with the council where I think it should remain, and I recommend the act be changed accordingly.

I am, very respectfully,  
ARTHUR L. THOMAS,  
*Governor.*

C. F. No. 31 with Governor's communication referred to the Committee on Municipal Corporations and Towns.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 57 as amended in accordance with the Governor's suggestions, and the same is herewith forwarded for your action on said amendments. The Governor's message on same is also enclosed.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

GOVERNOR'S COMMUNICATION.

Executive Office,  
Salt Lake City, Utah,  
March 12, 1890.

*Hon. F. S. Richards, President of the Council :*

Sir.—I return herewith disapproved C. F. No. 57, entitled "An Act concerning the laying out and platting of towns."

This act takes effect on its approval. It applies to all future sales of lots in plats already made, as well as those to be made, yet the plats already recorded would not comply with the law, none of them being acknowledged. This act would put a similar stop to all sales in additions until



new plats were filed, and, indeed, many owners would incur a heavy liability to the county before they could ascertain what the law was, and the filing of the new plats would entail a heavy expense on the owners who have already filed, the statute permitting the county recorder to charge fifteen cents per lot.

If the act is made to apply to land, etc., hereafter platted, I will approve it.

I am, very respectfully,

ARTHUR L. THOMAS,  
*Governor.*

#### CONSIDERATION OF AMENDMENTS TO H. F. No 57.

Read and concurred in, and bill passed as amended.

Ayes—Allen, Bennion, Ferrin, Ferry, Howell, Johnson, Kimball, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Sargent, Stewart, Williams, Wood—19.

Noes—0.

Absent—Creer, Hammond, Lowe, Thurman—4.

The Committee on Municipal Corporations and Towns reported back C. F. No. 31 without recommendation.

Council amendments thereto read and bill recommitted to the Committee on Municipal Corporations and Towns.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed H. F. No. 100, and same is herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Bill referred to the Committee on Enrollment.

#### COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day rejected H. F. No. 83, and H. F. No. 97, and same are herewith returned to you.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed with amendments House substitute for C. F. No. 45, and same is herewith forwarded for your further action.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF COUNCIL AMENDMENTS TO C. F. No. 45  
(SUBSTITUTE).

Read and not concurred in.

The Committee on Municipal Corporations and Towns, report on C. F. No. 31, recommending that a new section be incorporated in said bill.

Report adopted.

Amendments suggested by the committee read and adopted.

Council amendments concurred in, and bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Kimball, Lowe, Lund, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Thurman, Williams, Wood—19.

Noes—Sargent, Stewart—2.

Absent—Howell, Johnson—2.

Title approved.

COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council requests a Conference Committee on House substi-

tute for C. F. No. No. 45, naming Messrs. Barton and Benner as its conferees thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

Conference Committee granted.

The Speaker named Messrs Pierce and Hammond as conferees on part of the House.

Utah Legislature,  
Council Chamber.  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 73, and the same is herewith forwarded for your action thereon.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. F. NO. 73,

Read first time by its title and referred to the Committee on Judiciary.

The majority of the Judiciary Committee make verbal report on C. F. No. 73, suggesting that said bill be rejected.

Bill read and rejected.

Ayes—Allen, Creer, Ferrin, Ferry, Johnson, Kimball, Lowe, Pierce, Smith, Sargent, Thurman, Williams, Wood—13.

Noes—Bennion, Hammond, Howell, Lund, Melville, Porter, Russell, Reid, Robison, Stewart—10.

Absent—0.

#### COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir.—I return herewith H. F. No. 72, entitled "An Act to provide revenue for the Territory of Utah and the several counties thereof." In Section 2, the tax on both real and personal property, if a man owns both, is first made a lien on real estate. This should be amended to leave each sub-

ject to its own lien until a levy is made. In Section 3, the description of real property is too indefinite. The words "referred to" should be changed to "described." It also provides for giving the "approximate area in a section or other legal subdivision," and also the township, range, etc. No sale or conveyance can be made by an such indefinite description.

In Section 11, it is provided, real property shall be sold first for all taxes of the delinquent taxpayer, and it only provides for a sale of personal property when the taxpayer has no real estate. Personal property should be first sold, at least for the tax upon it, before resorting to real estate; if personal property of the delinquent can be found.

The second subdivision of Sec. 12, changes the present law, and only allows the taxpayer to deduct from credits, debts to persons in this Territory. I see no reason for this, and it should be changed so that all *bona fide* debts should be deducted.

In Section 4 in line 16, after the word "reduced" insert the words "but may be increased."

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

CONSIDERATION OF AMENDMENTS SUGGESTED BY THE GOVERNOR  
TO H. F. NO. 72.

Read and with bill referred to the Committee on Ways and Means.

REPORT OF CONFERENCE COMMITTEE.

House of Representatives,

*Mr. Speaker :*

March 13, 1890.

Your Conference Committee on House substitute for C. F. No. 45, A Bill to provide for the compensation of certain county and precinct officers, report a disagreement.

PIERCE,

HAMMOND,

*Conferees on part of House.*

CONSIDERATION OF REPORT.

Read and adopted.

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendment to C. F. No. 31, and the same is referred for enrollment.

Very respectfully,

FRANK J. CANNON.

*Chief Clerk.*

## REPORT FROM THE COMMITTEE ON ENROLLMENT.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Enrollment, to whom was referred H. F. No. 91, A Bill making appropriations for general purposes, and H. F. No. 100, A Bill providing for the equalization of territorial and territorial school taxes, beg leave to report the same have been correctly enrolled, signed by the Speaker of the House and President of the Council, and were this day forwarded to His Excellency the Governor, for official action thereon.

Respectfully,

BENNION, *Chairman.*

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor, announcing his disapproval of C. F. No. 69, to provide for payment of costs in territorial criminal cases.

Very respectfully,

FRANK J. CANNON,

*Chief Clerk.*

The Committee on Ways and Means, to whom was referred H. F. No. 72 for their consideration of amendments



suggested by the Governor, report the same back with further amendments, which were adopted in connection with a part of those recommended by the Governor, and bill passed as so amended.

Ayes—Bennion, Ferrin, Hammond, Howell, Johnson, Lowe, Melville, Porter, Russell, Reid, Robison, Stewart, Thurman, Williams—14.

Noes—Allen, Kimball, Pierce, Sargent—4.

Absent—Creer, Ferry, Lund, Smith, Wood—5.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day concurred in House amendments to H. F. No. 72, and as amended, has passed the same.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

H. F. No. 72 referred to Committee on Enrollment.

#### REPORT FROM THE COMMITTEE ON ENROLLMENT.

Committee Room,  
Salt Lake City,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that H. F. No. 72 (amended), A Bill amending Sections 2008, 2012, 2013, 2023, 2027, 2030 and 2043 of the Compiled Laws of Utah of 1888, relating to revenue, etc., has been correctly enrolled, signed by the Speaker of the House and President of the Council, and forwarded this day to the Governor for his action thereon.

BENNION, *Chairman.*

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day received communications from His Excellency the Governor, announcing the refusal of his official approbation to C. F. No. 35; also his absolute veto of C. F. No. 51; also the affixing of his official signature to C. F. Nos. 34, 11, 57, 54 and 31.

Very respectfully,

FRANK J. CANNON,  
*Chief Clerk.*

COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*Hon. James Sharp, Speaker:*

Sir.—I have this day approved and filed with the Secretary of the Territory H. F. No. 87, entitled “An Act providing for and regulating the Territorial Library;” also, H. F. No. 93, entitled “An Act amending Section 3200 S. 257 of the Compiled Laws of Utah of 1888, relating to the place of trial of civil action;” also H. F. No. 91, entitled “An Act making appropriations for general purposes;” also H. F. No. 72, entitled “An Act amending Sections 2008, 2012, 2013, 2023, 2027, 2030, and 2043 of the Compiled Laws of Utah of 1888, relating to revenue and enacting new sections to be numbered 2026 a, 2026 b, 2026 c, 2026 d, 2030 a, 2030 b.”

I am, very respectfully,

ARTHUR L. THOMAS, *Governor.*

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir.—I have this day approved and filed with the Secretary of the Territory, H. F. No. 100, “An Act providing for the equalization of Territorial and Territorial School Taxes.”

I am, very respectfully,

ARTHUR L. THOMAS,  
*Governor.*

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed with amendments H. F. No. 94, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Council amendments to H. F. No. 94 read and concurred in.

Bill passed as amended.

Ayes—Allen, Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Kimball, Lowe, Melville, Porter, Pierce, Russell, Reid, Robison, Smith, Stewart, Thurman, Williams, Wood—21.

Noes—0.

Absent—Lund, Sargent—2.

Bill referred to the Committee on Enrollment.

## REPORT OF THE COMMITTEE ON ENROLLMENT.

Committee Room,  
March 13, 1890.

*Mr. Speaker:*

Your Committee on Enrollment respectfully report that H. F. No. 94, "A Bill to provide for the appointment of commissioners to the World's Fair." has been correctly enrolled, signed by the Speaker of the House and President of the Council, and was this day forwarded to the Governor for his official action thereon.

Respectfully,  
BENNION, *Chairman.*

## COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the

Council has this day passed C. F. No. 35, in consonance with the verbal recommendations of His Excellency the Governor, and the same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. F. NO 35 (SUBSTITUTE).

Read first and second times and referred to the Committee on Municipal Corporations and Towns.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted C. M. No. 5, and same is herewith forwarded for your action.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

CONSIDERATION OF C. M. No. 5.

Read and rejected on roll call.

C. F. No. 53, postponed indefinitely.

The Committee on Municipal Corporations and Towns, report on C. F. No. 35 (substitute), and recommend that the bill pass as amended.

Report adopted and C. F. No. 35 passed.

Ayes—Bennion, Creer, Ferrin, Ferry, Hammond, Howell, Johnson, Lowe, Lund, Porter, Robison, Smith, Sargent, Stewart, Thurman, Wood—16.

Noes—Allen, Kimball, Pierce, Williams—4.

Absent—Melville, Russell, Reid—3.

COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City,  
March 13, 1890.

*Hon. James Sharp, Speaker of the House of Representatives:*

Sir.—I have approved and filed with the Secretary of

the Territory, H. F. No. 94, entitled "An Act to provide for the appointment of commissioners to the World's Fair."

Very respectfully,

ARTHUR L. THOMAS, *Governor.*

INTRODUCTION OF BILLS (BY CONSENT.)

By Howell—H. F. No. 101, A Bill relating to the holding of the First Judicial District Court at the city of Nephi, County of Juab, Territory of Utah.

Read first time.

Read second time.

Read third time and passed.

Ayes—Bennion, Ferrin, Hammond, Howell, Johnson, Kimball, Lowe, Lund, Porter, Russell, Robison, Sargent, Stewart, Wood—14.

Noes—Creer, Ferry, Pierce, Smith, Williams, Thurman—6.

Absent—Allen, Melville, Reid—3

By Mr. Williams:

*Resolved*: That the thanks of the members of the House of Representatives of the Twenty-ninth Session of Legislative Assembly be and the same hereby is tendered to the officers of the House for the able and efficient manner in which they have filed their respective positions.

Adopted unanimously.

Mr. Bennion moved that the seargent-at-arms be instructed to furnish each member and officer of the House—who have not previously been furnished—with a complete set of the Compiled Laws of Utah, of 1888.

Carried.

COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted C. M. No. 6, and same is herewith forwarded for your action.

Very respectfully,

FRANK J. CANNON.

*Chief Clerk.*



## CONSIDERATION OF MEMORIAL.

C. M. No. 6, asking the Congress of the United States to provide for a biennial session of the Legislature and for a term of ninety days, etc.

Read and adopted.

## COMMUNICATIONS FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed H. F. No. 101, and the same is herewith returned to you.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed C. F. No. 74, A Bill relating to the registration of voters, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

C. F. No. 74, relating to elections, etc., read first time and referred to the Committee on Elections.

## REPORT FROM THE COMMITTEE ON ENROLLMENT.

House of Representatives,  
Salt Lake City,  
March, 13, 1890.

*Mr. Speaker:*

Your Committee on Enrollment, to which was referred H. F. No. 101, A Bill relating to the holding of the First Judicial District Court at the city of Nephi, county of Juab, Territory of Utah, beg to report that the same has been cor-

rectly enrolled, and was this day forwarded to the Governor for his action thereon.

Respectfully,  
BENNION, *Chairman.*

The Committee on Elections report on C. F. No. 74 as unfinished business.

Report adopted.

On motion, Messrs. Thurman and Creer were granted the privilege of having their vote recorded "No" on passage of H. F. No. 101—they being absent on roll call of said bill.

#### COMMUNICATION FROM THE COUNCIL.

Utah Legislature,  
Council Chamber,  
March 13, 1890.

*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day adopted C. M. No. 7, and the same is herewith forwarded for your action thereon.

Very respectfully,  
FRANK J. CANNON,  
*Chief Clerk.*

#### CONSIDERATION OF C. M. NO. 7.

Read and adopted on roll call.

Ayes—Bennion, Creer, Ferrin, Hammond, Howell, Lowe, Porter, Russell, Robison, Sargent, Stewart, Thurman, Wood—13.

Noes—Allen, Ferry, Kimball, Pierce, Smith, Williams—6.

Absent—Johnson, Lund, Melville, Reid—4.

#### COMMUNICATION FROM THE GOVERNOR.

Executive Office,  
Salt Lake City, Utah,  
March 13, 1890.

*To the Legislative Assembly:*

Gentlemen—My table being clear of business and the time of adjournment having arrived, I now wish you one and all a safe return to your homes.

I am, very respectfully,  
ARTHUR L. THOMAS,  
*Governor.*















